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# Swiss banks advertise to trace owners of Nazi gold deposits

FROM TUNKU VARADARAJAN IN NEW YORK

THE Swiss Bankers' Association will abandon their traditional secrecy and publish a three-page advertisement in *The Times* tomorrow, listing the names of all dormant accounts dating back to the Second World War. The list includes the names of several

Britons. The surviving account-holders, or their heirs, will be invited to settle all claims they may have with the banks.

The initiative is an attempt to end the controversy over the role played by Swiss banks in the wartime laundering of gold stolen by the Nazi regime in Germany, mostly from Jews. The issue has been a source of considerable embarrassment

to the banks, as well as of diplomatic damage to Switzerland. Jeffrey Taubfield, a senior partner of Kest & Company, a New York public relations firm which has been acting for the Swiss Bankers' Association, said: "This is a real example of Switzerland's commitment to be responsible and honourable in undertaking what must be done. We are literally reaching out

to all corners of the world in an attempt to identify Holocaust survivors and their heirs. "We have selected newspapers in countries around the world where there are populations of Jews who may be account-holders or their heirs." The British names include Kenneth Wadd from Cornwall, Paula Singer from Gloucestershire, Emil Muller from Liverpool, and

Paul Mayer. Amy Carey and Boris Foster, all from London. Advertisements have also been placed in *The New York Times*, *The Washington Post*, the *Frankfurter Allgemeine Zeitung*, *Le Monde*, *The Star* (Johannesburg), *The Jerusalem Post* and *Pravda*, as well as in a variety of Eastern European and South American newspapers. Mr Taubfield said: "We hope that

this will be yet another chapter in bringing the matter to a close, with dignity and honour." The claims, he hoped, would be settled within a year of the advertisement's appearance. All unclaimed amounts would be donated by the Swiss Bankers' Association to charitable and humanitarian causes, to be chosen by the Association in consultation with Jewish groups.

Yesterday, the World Jewish Congress, which has been at the forefront of the campaign against the Swiss banks, expressed "mixed feelings" about the list. Elan Steinberg, the WJC's executive director, said: "We're happy this is finally happening, but we're asking why it has taken so long."

Harvard row, page 15

# Raise tax to cool economy, IMF advises

BY PHILIP WEBSTER, POLITICAL EDITOR

A WARNING to Gordon Brown that he may have to increase taxes on consumers, possibly through widening the VAT net, will be delivered today in the first international assessment of the Labour Government's running of the economy.

A team from the International Monetary Fund, which has spent the past ten days in London holding talks with the Chancellor, Treasury and Bank of England officials and the City, will also cast doubt over Labour's plan for a national minimum wage, saying that it would be a "blunt instrument".

It will warn the Government of looming imbalances in the economy, including surging domestic demand likely to be made worse by building society windfalls and the weakness of exports caused by the soaring pound.

Recommending lower borrowing and increased savings to boost investment, the IMF will suggest a broadening of taxes on consumption, including extending VAT to new areas.

The report will praise Mr Brown's stewardship of the economy, and conclude that the Budget measures to combat demand were tougher than has been appreciated by commentators and that the succession of interest rate rises was overdue. It will also predict a period of increased uncertainty in the economy that will "keep policy-makers on their toes".

One of the central recommendations of the report will be that Mr Brown should adopt an even more demanding target for the public finances than he has set himself. The aim would be to produce more savings for the nation to release far more resources for investment.

It will say that savings could be fostered by broadening taxes on consumption, and will add: "While we are aware that successive governments have fostered significant broadening of the VAT base, this is an issue that warrants serious economic debate, all the more so given the hard choices that lie ahead in reconciling spending priorities."

The annual reports by the IMF visiting teams were confidential until Kenneth Clarke, the former Chancellor, decided to make last year's public. Mr Brown has decided to follow his example and will be questioned on the findings when he appears before this morning's meeting of the Treasury and Civil Service Committee.

Key factors in Mr Brown's decision to allow it to be published are clearly its strong endorsement of his decisions and its findings on the minimum wage, which Labour is pledged to introduce during the present Parliament.

## Shares continue sharp retreat

The FTSE 100 Index fell 71.5 points to close at 4805.7, as the London stock market fell back from the 5,000 mark which was almost breached during trading just last week. Financial shares were responsible for some of yesterday's losses. Page 25

Stock market, page 31

himself. The aim would be to produce more savings for the nation to release far more resources for investment. It will say that savings could be fostered by broadening taxes on consumption, and will add: "While we are aware that successive governments have fostered significant broadening of the VAT base, this is an issue that warrants serious economic debate, all the more so given the hard choices that lie ahead in reconciling spending priorities."

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ment. Mr Brown wants the minimum wage to be set at a figure below that certain to be demanded by many of his ministerial colleagues and the unions, and is given ammunition by the report.

It will say that the wage is a "blunt instrument for achieving a fairer income distribution and a two-edged sword for rewarding work if set too high."

It adds: "At a minimum, as the experience of other countries shows, lower rates should be specified for youths to alleviate adverse employment effects."

The IMF team will say that the new Government has made "an excellent start" in setting a "high standard" for its economic policies. It will praise its actions in making the Bank of England independent, using the Budget to make rapid strides towards sound public finances and initiating the welfare to work scheme.

It will back the Government's willingness to consider "radical approaches" in areas such as social security to raise spending in priority areas such as health and education.

The IMF will conclude that the economic environment is becoming challenging for the Government. "Behind the impressive macroeconomic performance - strong growth, declining unemployment and low inflation - there now loom imbalances rooted in powerful divergent forces: surging domestic demand, which may accelerate further as windfalls boost consumption, and the incipient weakness of the tradable goods sector resulting from the strength of sterling."

His American wife, Myra, who also teaches at the university, and his children Joanna, 17, and Matthew, 20, broke down in tears and hugged each other after Judge John Crocker told the professor he was free to go.

The parents of Miss Y, one of the two students who said Professor Cottingham had kissed and fondled them after a garden party last year, fled the court as soon as the verdict was announced to telephone

their daughter, who is staying at a secret address with Miss X and did not attend court yesterday. They later left court without commenting.

The students claimed that the professor had invited them to his university room after a garden party last year and then turned the conversation to the Marquis de Sade and talked about whips, chains and pain before trying to kiss them both, unzipping their

dresses and removing some of their clothing. The jury of eight men and four women at Reading Crown Court took four hours to return their verdicts of guilty on two counts of indecent assault.

Afterwards, as he embraced his wife and children, Professor Cottingham said he hoped to return to teaching as soon as possible. He had taken a sabbatical and was concentrating on research in the months leading up to the court case. He said he'd been touched by the number of students who had contacted him to express their support.

"This has obviously been a hideous year for myself and my family. I am very glad I had an outcome in which I have been completely vindicated," he said.



Professor Cottingham with his daughter Joanna, wife Myra and son Matthew after being cleared at Reading Crown Court yesterday

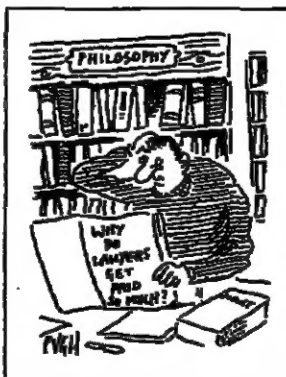
# Professor cleared of indecent assault

BY KATHERINE KNIGHT

A PROFESSOR of Philosophy was cleared by a jury yesterday of indecently assaulting two female students in his study at Reading University. Professor John Cottingham, 54, the head of the university's philosophy department and an authority on the French philosopher Descartes, said: "This has brought home to my colleagues how vulnerable we can be to unscrupulous people."

His American wife, Myra, who also teaches at the university, and his children Joanna, 17, and Matthew, 20, broke down in tears and hugged each other after Judge John Crocker told the professor he was free to go.

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"This has obviously been a hideous year for myself and my family. I am very glad I had an outcome in which I have been completely vindicated," he said.

"I'd like to thank my dear wife and children for their wonderful support and also all my colleagues and the hundreds of students, past and

present, who have expressed their unfailing support."

His wife, who attended every day of the five-day trial with the children and their local vicar, said: "It's been a terrible year and I am so glad it is over. I want to get my life back."

Professor Cottingham had told the court that the girls had asked to come to his room. After serving them drinks, he

said, he had been astonished to turn round and see the elder girl undressing herself and apparently performing a kind of striptease. She then told him: "We're into all kinds of sex". Professor Cottingham told the jury the girls had then kissed and he had asked them to leave, saying their behaviour was not appropriate.

Student accusations, page 3

## Mafia link

Florida police are studying the possibility that Mafia bosses ordered the murder of Gianni Versace. Page 12

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## Blair seeks formula on IRA arms

BY PHILIP WEBSTER, POLITICAL EDITOR

TONY BLAIR was striving last night to find a formula to meet Unionist concerns over the disarming of IRA weapons after David Trimble assured him that he had no desire to walk out of the multiparty talks on Northern Ireland.

An 80-minute meeting between the Prime Minister and the Ulster Unionist leader failed to reach a breakthrough in the dispute over decommissioning that is the greatest threat to the peace process following the IRA ceasefire announced at the weekend.

But the Prime Minister promised to look at ways of addressing Mr Trimble's demand that the British and Irish Governments beef up their joint paper on decommissioning. He wants them to make it plain that they both expect the IRA to begin disarming their weapons once they have been allowed into all-party talks in September.

He argues that the document is so vague in its reference to "progress on decommissioning" that the IRA

Continued on page 2, col 4

# Cut in Oxbridge funding means higher student bills

BY JOHN O'LEARY, EDUCATION EDITOR

MINISTERS were accused last night of pursuing an "old Labour" ideological vendetta by unexpectedly reneging on an agreement to increase funding next term for Oxford and Cambridge colleges.

The decision, which has soured relations between the Government and Britain's top universities, will force next year's students to foot a bill of almost £1 million. Dons fear the move will undermine the two universities' unique individual tutorial system, and is the prelude to an assault on their funding arrangements.

Oxford and Cambridge are the most wealthy universities in Britain. Previous Labour policies have targeted the college fees, but this year's manifesto carried no hint of the decision to reject a funding formula established by the Conservative Government almost a decade ago.

The fees, unique to the two universities, provide a total of £35 million to maintain the college-based teaching system. A rise of between 3.5 and 3.8 per cent was rubber-stamped by the Conservative Govern-

ment before the general election. But the incoming Labour administration told the universities last month that ministers considered the figure excessive and imposed a 1 per cent rise - in line with other universities.

One college president said: "It is very disappointing when new Labour professes to value quality education for all to see old habits re-emerging. The money involved is insignificant in government terms but vital for the colleges. It was also scandalously late for such a change in plans."

College bursars said the late change had caused chaos in budgeting. The funding gap could only be made up by raising student rents and kitchen charges, and seeking extra conference business.

The dispute comes in advance of a review of college fees. Sir Ron Dearing's report on higher education, to be published tomorrow, is expected to question the justification for the extra fees and to recommend that they be phased out unless the universities can convince ministers

that their withdrawal would damage the quality of education.

Michael Allen, bursar of Churchill College, Cambridge, said: "We feel poised on the edge of a precipice. We will have no alternative but to raise the charges for students next year and, although the university is determined to stand by the collegiate system, it seems that in the long term the Government wants to remove the fees altogether."

A spokeswoman for the Department for Education and Employment said ministers reviewed the fee increase shortly after taking office. "They thought it was unfair for the colleges alone to be given 3.8 per cent more when the rest of the higher education system had to manage with a 1 per cent increase."

This year's fees, which vary between colleges, are about £2,600 for undergraduates and £1,600 for postgraduates. The system enables Oxford and Cambridge to base tuition in colleges, rather than the centralised system operated in most British universities.

## French announce a windfall tax

The French Government yesterday engineered a tax windfall with an emergency levy on the profits of big business to keep the country on course for European monetary union. Lionel Jospin announced a 15 per cent surcharge on the corporate tax rate affecting the wealthiest firms. Page 14

## £31m work boost for lone parents

A thousand personal advisers are to be recruited throughout the country at a cost of £31 million to help to find work for Britain's million lone parents. Harriet Harman, the Social Security Secretary, said. The first 76 advisers are starting work this week. Page 4

## Row over Lottery shake-up plans

The Government has been accused of abandoning its manifesto pledge to appoint a non-profit body to operate the National Lottery. Labour also came under fire yesterday for its decision to use £1 billion from the mid week Lottery sales for health and education projects. Page 10

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# Man with conviction bounces back to fall foul of fare play

Shouts of "Taxi! Taxi!" from the government back benches yesterday may have surprised foreign tourists blinking in the Strangers' Gallery. Visitors are told about the ancient privileges a Member enjoys — but to call a cab from the Commons Chamber itself? Where would the taxi draw up? Behind the Speaker's Chair?

To understand requires inside knowledge. Patrick Nicholls, a Tory MP, was once convicted of drink-driving. At a party conference he had

driven himself home from a restaurant after dismissing his taxi because he thought the driver wanted too high a fare. The press had a field day and Nicholls was forced to resign as a minister. Journalists and fellow-MPs might have been kinder had he not been famous for his rowdy behaviour, sometimes quite personal, on other politicians. He had to lay low for a while.

But there is life after these setbacks and Mr Nicholls has just been appointed an Opposition Front Bench spokesman

on Culture, Media and Sport. Yesterday he made a start on the Tory front bench, rising to question a new junior minister, Tom Clarke, whom some say had hoped for a more prominent role in Tony Blair's Government. Had Mr Nicholls been chastened by experience, we wondered? Had he mellowed? He sneered a welcome to Clarke. He hoped he was "comfortable in the Ministry of Culture" but doubted as much because, he snarled, rumour had it that Clarke had hoped to reach the Cabinet



## MATTHEW PARRIS

POLITICAL SKETCH

and felt sadly let down. A few MPs sniggered.

Tom Clarke is 50 and this job is probably as far as he will get. An amiable man, he has never, so far as we know, done Nicholls any harm. Anger rose among Labour MPs as they digested his jibe. It was then that the shouts of "taxi!" began. We act in our natures,

not in our interests. It is Nicholls's nature to sting, and I rather admire him for it; but it will not have helped his career.

The shouts of "taxi!" were one of those details of a Commons afternoon which will probably not appear in *Hansard*, which few who were there will have understood

and even fewer cared about, but of which the whips will have made a very careful note. They can be critical in influencing a fellow's prospects.

Or lady's. Minutes before, Labour's Hazel Blears had asked the day's first Question. Most will hardly yet have noticed the MP for Salford, but we saw a self-possessed and articulate new MP, brimming with enthusiasm, banging the drum for the "Lowrie Centre" in her constituency. From the sea of matchstick men and women which much

of the new Parliamentary Labour Party still resembles, an individual was suddenly fleshed out, emerging as real and positive. Someone, somewhere, will have made a note.

Many will have made a note, too, of Francis Maude's reply to the Culture Secretary's statement on the National Lottery. Mr Maude is a "retread" — a former MP who has returned after a spell without a seat. Like his late father (Angus Maude), he is as sharp as a needle. He has the voice of a stage-villain and the

meat of the Mekon in the *Eagle* comic.

Mr Maude also has an uncluttered mind and a relentless prosecuting intellect. His grasp of principle is unerring. Yesterday he went straight for the weaknesses and retorts in Chris Smith's White Paper, and exposed its underlying drift. Listening to him, Tory backbenchers will have found — in a speech quite devoid of rhetoric, "vision" or emotional uplift — reason to recover confidence in the integrity of their cause.

## Sinn Fein 'will accept interim peace accord'

Martin Fletcher reports on division among republicans as officials say talks may not lead to a united Ireland

A LEADING Sinn Fein official said yesterday that his party would accept an interim peace accord that fell well short of the united Ireland for which the IRA has fought for the past quarter century.

The statement by Michael McLaughlin, Sinn Fein's chairman, seemed certain to fuel the significant opposition to the renewed IRA ceasefire among rank-and-file republicans, and could encourage defections to breakaway groups that have not set aside their arms.

The Irish Republican Socialist Party, the political wing of the Irish National Liberation Army (INLA), issued a statement mocking the ceasefire. It asked: "Has the past 27 years of struggle against repression, imprisonment and death all been aimed at securing seats or nationalists at a revamped Stormont and the copper fastening of partition?"

It called the peace process a "thinly-veiled attempt at pacifying nationalist demands while neutralising republican resistance to the British occupation of Ireland", and claimed that view was shared by "a vast majority of grassroots republican supporters and activists".

Republican Sinn Fein, which is considered the political wing of the Continuity Army Council (CAC), likewise accused Sinn Fein of seeking "only a new Stormont rather than a New Ireland free from British rule". It claimed the British had "secured new allies for the restructuring of their rule in Ireland".

Shortly before being admitted for the first time to the peace talks venue at Stormont Castle, Mr McLaughlin told the BBC that Sinn Fein would "bring our analysis which is that the real democratic basis

for peace in our country is to have a unitary state".

But he continued: "We are prepared to discuss, and we believe we can develop agreement on transitional arrangements."

This was the most explicit statement yet of Sinn Fein's negotiating goal. Writing in Belfast's nationalist *Irish News* last week, Gerry Adams said that Sinn Fein would seek a "renegotiation" of the union, but subsequently disputed the newspaper's interpretation of that as meaning he was no longer seeking the union's replacement.

Gauging republican sentiment is hard, but one source close to Mr Adams told *The Times* that while the IRA's command structure was united behind the ceasefire strategy, perhaps 15 per cent of its volunteers had serious reservations. He agreed that defections to the INLA or CAC were possible.

The *Irish Times* meanwhile reported a "huge gulf in feeling between the leadership and the base", and claimed that amongst Belfast IRA

members there was at best "passive acquiescence, at worst, open contempt" towards the new ceasefire.

The same source acknowledged that Mr Adams' goal was an "interim settlement better than now" — a radically-reformed administration with much greater Dublin involvement.

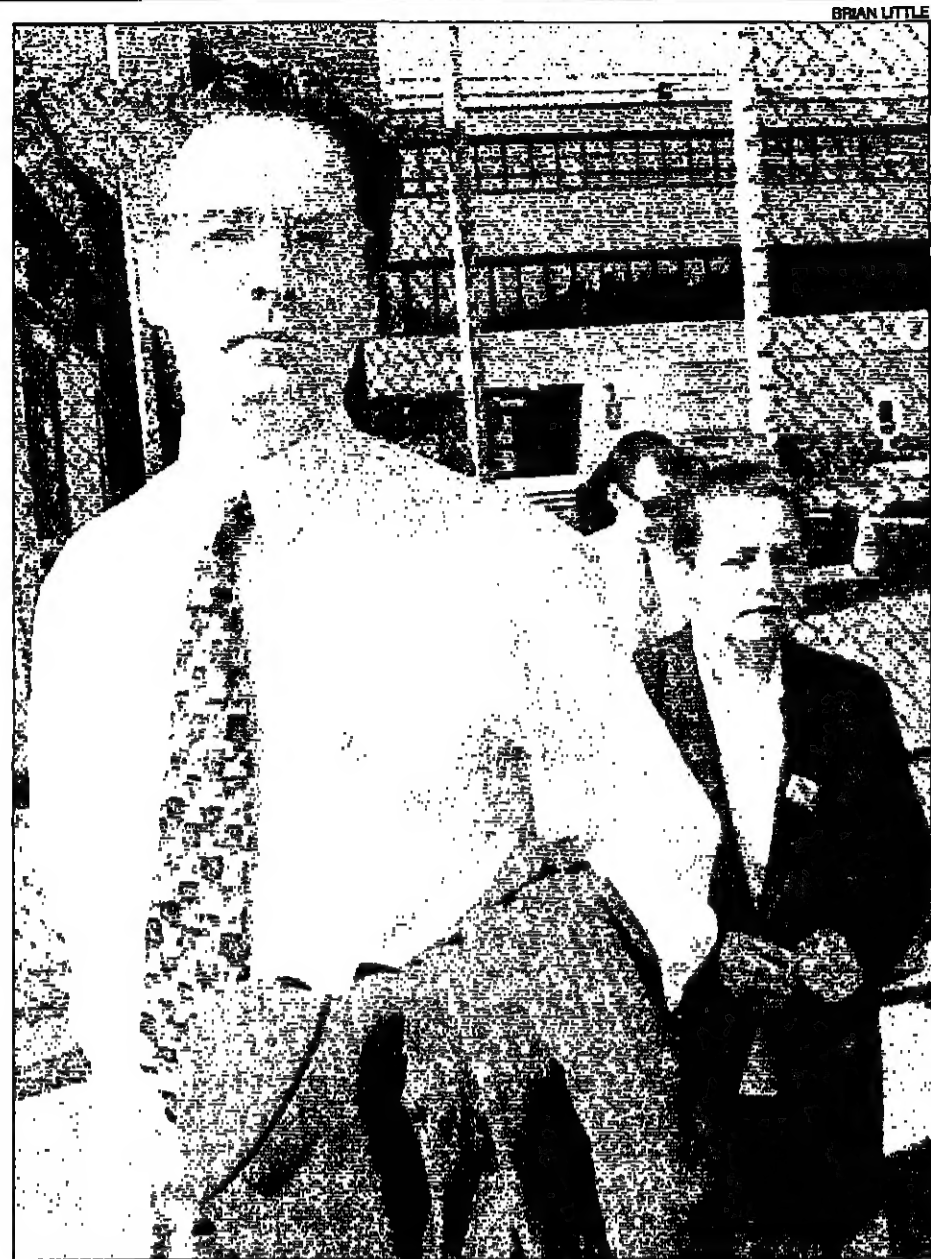
However words like "interim" and "transitional" may remind republican activists of how Michael Collins endorsed British proposals for partitioning Ireland in 1921 because he considered them a "stepping stone" to a free and united island. Eamon de Valera disagreed and the Irish civil war resulted.

The source also agreed that Mr Adams and Martin McGuinness, Sinn Fein's chief negotiator, were playing for very high stakes. The 1994 ceasefire had gained nothing: "This is the last ceasefire. It's a simple as that. If this one fails this leadership of Sinn Fein is over."

In a rare public display of republican dissent, Anthony McIntyre, a former IRA prisoner, wrote in Dublin's *Sunday Tribune* that "republicans without armed struggle are like birds without wings — unable to go anywhere".

He reminded Mr Adams of his own past assertion that "the notion that the British can be talked out of Ireland is contemptible".

Mr Blair is, however, expected to consider over the next two days making plain his understanding that decommissioning should proceed alongside negotiations. They are to talk again shortly in an attempt to reach agreement before Wednesday's vote at Stormont on the document. But both sides have hinted at the possibility that



Gerry Kelly leading the Sinn Fein delegation into Stormont yesterday

## Blair seeks arms formula

Continued from page 1 would not be forced to give up any weapons at all until the talking was over and an agreement reached, an interpretation supported by Martin McGuinness. Sinn Fein's chief negotiator, when he spoke of the IRA not handing in a "single bullet".

Mr Blair told Mr Trimble that he does expect decommissioning to take place while all-party negotiations proceed. But he was unable to meet a request that the joint paper be amended to reflect that view.

The paper has already been

agreed between the two governments and the IRA's ceasefire decision was clearly based on its contents. A decision to reopen it might therefore put at risk the ceasefire.

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They are to talk again shortly in an attempt to reach agreement before Wednesday's vote at Stormont on the document. But both sides have hinted at the possibility that

that vote could be postponed while Mr Blair attempts to placate the Unionists.

Mr Trimble said he probably would vote against the document as things stood although he maintained that would not end the peace process. "We are not in the mode of walking out," he said.

He hinted that he might be prepared to accept assurances from the Prime Minister that decommissioning would take place during talks, even if they were not in the form of amendments to the joint document on decommissioning.

## Sinn Fein claims its place at Stormont

BY MARTIN FLETCHER  
CHIEF IRELAND  
CORRESPONDENT

SINN Fein claimed its offices at Stormont yesterday, less than 24 hours after the IRA renewed its ceasefire, prompting a walkout from the peace talks by unionists.

Gerry Kelly, a convicted IRA bomber, and Sinn Fein's O'Hanlon, who was sentenced to seven years for explosive offences, reached the bastion of Ulster Unionism on the edge of Belfast shortly before 10am. The media largely missed their admittance because Mo Mowlam, the Northern Ireland Secretary, was giving a briefing near by.

Two hours later Michael McLaughlin, Sinn Fein's chairman, drove up with two other Sinn Fein officials, Francis Molloy and Annie Armstrong. This time the cameras were there to record what Mr McLaughlin called "one small step for humankind".

Within minutes of Mr Kelly's arrival, Robert McCartney, leader of the UK Unionist Party, walked out with his negotiating team. "We will not negotiate with anyone who supports violence and who are associated with any group which retains the means of inflicting violence upon others for the attainment of political objectives," he said.

Ian Paisley's Democratic Unionist Party did not even go to Stormont yesterday. Peter Robinson, the party's deputy leader said the Government had made no attempt to establish that the ceasefire was genuine. "It's a monumental absurdity that people can call a ceasefire at 12 on Sunday and the Government allows them through the gates of Stormont and into the peace process at 10 next morning."

Mr McLaughlin said Sinn Fein would meet British ministers "as soon as our diaries permit". A meeting between Mr Adams and Dr Mowlam is expected within days. Sinn Fein will not be able to attend the formal talks until the ceasefire has lasted six weeks.

## Goldsmith party faces cash crisis

The Referendum movement founded by the late Sir James Goldsmith is facing a funding crisis after it emerged that the late businessman's family was unlikely to continue backing the group financially.

Senior figures in the movement will meet in the next few weeks to work out how to raise money following the death at the weekend of their founder. Sir James ploughed more than £20 million into the election campaign.

Lord McAlpine, the former Tory party treasurer who succeeded Sir James, said yesterday that the party had a lot of supporters but he doubted it could rely entirely on their subscriptions.

## Crash kills two

A student pilot and her instructor died when an RAF training aircraft crashed into a field beside the main runway soon after take-off at RAF Woodvale, near Southampton, yesterday afternoon. The Ministry of Defence said the plane was being used by the Liverpool University Air Training Squadron.

## Nurses to sue

The British nurses on trial for murder in Saudi Arabia said that they were to sue the American lawyers representing the victim's brother who is demanding the death penalty. In a statement, Lucille McLaughlin and Deborah Parry accused them of pronouncing their guilty before any evidence was heard in court.

## Doctor suspended

Richard Stanley, a consultant breast surgeon at Kettering General Hospital, Northampton, has been suspended after concerns were raised about his clinical practice and his personal contribution to the breast-care team. There have been no complaints about him and there is nothing wrong with his health.

## Ex-pupil sues

A woman is suing her former schools for loss of earnings claiming their failure to diagnose her dyslexia has condemned her to a life of "temporary mental tasks". Pamela Phelps, 23, of Hayes End, Middlesex, claimed in the High Court that Hillingdon Borough Council schools had limited her prospects.

## Pearl charges

Four people have been charged with illegal pearl fishing in Scotland after a high profile campaign to protect endangered freshwater mussels. Northern Police confirmed that a woman and three men, who have not been named, were charged over the weekend with killing or injuring shellfish.

## Britain heads for BSE showdown

BY MICHAEL HORNSBY, AGRICULTURE CORRESPONDENT

BRITAIN is heading for a showdown today with its European Union partners over demands that they tighten controls on the processing of beef in their abattoirs to protect consumers against "mad cow" disease.

Jack Cunningham, the Agriculture Minister, meets his fellow farm ministers in Brussels to seek the introduction throughout Europe of the same strict hygiene controls as those in force in British slaughterhouses. If he fails to

reach agreement, Dr Cunningham has said he will ban imports of beef from any countries that have had outbreaks of BSE and do not meet UK abattoir standards.

Dr Cunningham issued that ultimatum to the rest of the EU six weeks ago, saying it was "no game and no bluff", but it remains unclear whether he has the legal power to take unilateral action.

Only Ireland has abattoir controls comparable to those in Britain. Other member

states have argued that the small numbers of BSE cases in their herds, often but by no means exclusively in animals imported from Britain, do not justify such measures.

The Government's scientific advisers maintain that the incidence of BSE on the Continent is higher than has been admitted and that imports now pose the only loophole in the measures taken to ensure that beef is safe to eat.

If Dr Cunningham gets his way, abattoirs throughout the

EU will have to follow British practice by removing and destroying brain, spinal cord, spleen and other "risk materials" that might carry BSE.

The EU's standing veterinary committee last week rejected a proposal on those lines by eight votes to seven. Ireland, France, Sweden, Luxembourg, Holland and Spain voted with Britain. Dr Cunningham will need at least one of the eight countries that voted against last week to switch sides.

## Speaker attacks briefings

BY A STAFF REPORTER

UNATTRIBUTABLE. Government briefings are jeopardising the rights of MPs and the House of Commons, Betty Boothroyd warned yesterday.

The Speaker rebuked ministers over the growth in cases of off-the-record information given to journalists by ministers, press officers and so-called spin doctors before statements to the Commons.

She said: "My impression is that over the last 20 years it has progressively developed to the point where the rights of

this House are in danger of being overlooked.

She added: "If it is to fulfil its function properly, the House must be the first to hear of important developments in Government policy and I deplore most strongly any action that is taken that tends to undermine this important principle."

Miss Boothroyd's comments came after the Opposition education spokesman Angela Browning protested in a point of order that BBC

Radio had disclosed yesterday that ministers were about to accept unpublished plans to charge students tuition fees.

Mrs Browning said several BBC Radio news reports "stated quite clearly" that the Government intended to end the principle of free higher education for all, and had accepted the recommendations of Sir Ron Dearing's report into higher education that tuition fees should be charged. The report is due to be published later this week.

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سكزامن الأصل



# How sex-lies student derailed another life

Kathryn Knight meets a man who rues the night he met Miss Y

A HARVARD graduate has told how he gave up his prospects of a legal career after one of the women who accused Professor Cottingham of indecent assault made a similar allegation against him in America.

Ethan Haley, a 26-year-old jazz pianist from Minneapolis, said he went through months of stress when Miss Y accused him of breaking one of her ribs and sexually assaulting her. The accusations came after they spent a night together, having met in a nightclub in Breckenridge, Colorado.

Miss Y only made her complaint to police seven days later when Mr Haley refused to pay her money she claimed was for a doctor's visit, made necessary after their night together.

Mr Haley was arrested and charged. For five months he lived with the prospect of court proceedings until the case was dropped because Miss Y could not be contacted by American police.

Mr Haley flew to England last week prepared to give evidence for Professor Cottingham but was not called to the witness box. "I knew I wanted to help. I feel the professor was like me, an innocent victim of this girl's bizarre behaviour. Like him, she came into my life at random and nearly wrecked it," he said.

Mr Haley was working in Breckenridge, a ski resort, in 1993, in his year off before law

school, when he met Miss Y in the local nightclub. "She came over and asked me for a dance. She danced very suggestively and I don't like dancing much anyway. So I went to sit back down with my friends again. Then she came over and started dancing in front of me in a really sexual way, almost like a striptease. I was a bit embarrassed so I asked her to sit down and we got talking for what was left of the night."

The two left the nightclub together and returned to Mr Haley's house. "We started kissing and she part undressed herself. She was being very flirtatious and passionate but suddenly she changed and went very cold, saying, 'I'm not going to sleep with you'."

"I said fine, OK, and then she changed again and started being very sexual again. We spent the rest of the night together, although we did not have intercourse, and the next day I walked her back home and took her number," Mr Haley said.

"But later that day she walked into the bar where I was having a drink with friends. She came over and told me I'd broken her rib. I was really confused. Then she

just turned her back and walked away. That's the last time I ever saw her."

The next day, however, Miss Y's brother, who was working in the same resort, came to Mr Haley's workplace. "He told me that the family had worked out I owed them \$350 for the doctor's bill... I refused to pay, saying I'd done nothing. He said I would be hearing from the police."

Mr Haley was then contacted by police and asked to give a statement which would be submitted to a lie detector test. He agreed and asked whether Miss Y had undergone the test, but was told she had refused.

He was later arrested and charged with third degree sexual assault. "I was terrified of telling my parents and scared that people wouldn't believe my story. I went to see the public defender, who told me the best solution was to plea bargain. I told him there was nothing to bargain about as I had not done anything wrong."

After several agonising months, Mr Haley was told the case had been dropped. "They said there would be a no prejudice on my file but I was

left feeling deeply upset about the whole thing. It is a real slur on your character. I lived under a cloud for five months and what hurts most now is the sense there will always be a tiny slither of doubt in people's minds about what really happened."

Mr Haley said he was first contacted by Professor Cottingham's wife, Myra, after she discovered that Miss Y had made an allegation in the United States. "I was reluctant to get involved. It was three years on and my trust had been affected by what happened. But it took a lot of courage for Mrs Cottingham to call me and after talking to her and the professor I realised I wanted to do whatever I could to help."

He said he was struggling with feelings of relief and regret that he did not face Miss Y in court. "I was also angry I didn't get to have my say, because I feel she has wasted so many people's time and caused such distress."

Mr Haley now works as a jazz musician after graduating with a music degree from Harvard. "I had a place at a well respected law school but I gave it up and changed my career path after what happened. The whole process disillusioned me so much and I was also faced with the prospect that if a complaint was recorded on my file I may not be allowed to study law anyway," he said.



Ethan Haley, now a jazz pianist, was prepared to give evidence of his involvement in 1993 with Miss Y

## 'She was always going off at deep end'

### MISS X

A SMALL and slightly built 22-year-old redhead, Miss X flew in from America just before the trial and was staying with Miss Y at her parents' home.

Born and raised a Mormon in Salt Lake City, Ohio, she told the court that she had renounced the faith. Aged 18, she went to the Randolph Mason Women's College, a liberal arts and science college in Lynchburg, Virginia, to study English and creative writing. After two years, she came to an annex at the college in Reading for a one-year exchange. At the halls of residence she shared with other American students she became known as a rather

wild girl prone to bizarre and often aggressive outbursts. The college head gave her a disciplinary warning after complaints from other students. While the jury was out the court was told Miss X often had rowdy and unsuitable guests in her room and threw things from her window into the courtyard.

On one occasion, she threatened a male visitor to the college with a knife and then inflicted cuts on her own body. "She had a lot of problems," one student recalled. "She was always going off at the deep end."

### MISS Y

MISS Y, 24, comes from a comfortable middle-class background and was brought up in a detached home in a home counties village.

Tall, attractive and slim, she was the second girl to give evidence but was unable to follow her friend directly onto the stand. The case had to be adjourned for a day after she was physically sick through nerves. Miss Y retained her composure until she was cross-examined, when she was often close to tears. Yesterday her mother said the case was deeply upsetting because she had not completed her course at Reading University. "She has been portrayed as some kind of loose woman which is

just not true," she said. Those who knew Miss Y at university said she was known as a party girl but had been much quieter in the past year. "There was no shortage of parties and there were lots of different boyfriends," one said. "But this last year she has kept her head down. The general feeling here is that she is a bit odd. She doesn't hold onto friends easily."

## Campus unions tighten relationship guidelines

By MARK HENDERSON AND RICHARD FORD

INCREASING numbers of allegations of indecent assault and sexual harassment against university lecturers has led all campus unions to draw up detailed guidelines on sexual relationships between students and tutors.

The Association of University Teachers (AUT), the largest university teaching union, suggests that all lecturers in a relationship with a student should inform an appropriate superior or colleague. While such a disclosure is strongly advised, the union's code of conduct says that "failure to do so should not in itself constitute grounds for disciplinary action".

A proposal to ban all sexual

contact between students and lecturers in the union's code of conduct was rejected at its annual conference in 1995. In the United States, a survey in 1995 found that 26 per cent of male lecturers had had an affair with a female student.

Christine Cheeseman, chief executive of the Association of University and College Lecturers, said there was little doubt that more allegations of sexual harassment and bullying against tutors were finding their way to court.

"Perceptions are changing, and behaviour that would not have been reported ten years ago is now coming to light," she said. "Not enough of these allegations are being dealt

with internally. It is a management problem as much as anything else."

While there are no figures for the number of accusations of indecent assault and sexual harassment against lecturers, the number of indecent assaults on women has risen steadily during the past decade from 11,400 in 1985 to a record 17,600 in 1994 before falling to 16,900 in 1995, according to the latest Home Office figures.

Seventy per cent of assaults were cleared up in 1995 though these may have been recorded in an earlier year. In 1995 there were 2,377 convictions for indecent assault on females and 944 people cautioned.

## Court considers weighty matter

By HELEN JOHNSTONE

DIETERS attending a slimming club became suspicious at the scale of their success at the weekly weigh-ins when the pounds appeared to be falling off, a court heard yesterday. They alerted trading standards officers after a slimmer who recorded a loss of 11 lb on her bathroom scales was told that she had lost 9 lb.

An undercover trading standards officer sent to the slimming club run by Elaine Smith at Dudley Town Hall was told that her weight was plummeting, although she had gained weight during her five-week investigation.

Smith, 52, from Stourbridge, yesterday appeared at Dudley Magistrates' Court on seven charges of knowingly giving false statements under the Trading Standards Act. David Travers, for the prosecution, said: "These are not little errors. These are whopping great differences in weight. It amounts to systematic fraud."

Elisabeth Brough, from Rowley Regis, was told she had lost 9 lb in her first week at the club. She said: "I thought that extraordinary. I

had weighed myself at home and I had lost 11 lb." She returned to the club despite her suspicions because it was fun. "All the women were thrilled about the massive weight loss and I got carried along by the flattery."

Jennifer Cook, an inspector for weights and measures who conducted the investigation into the Elaine Smith Slimming Groups, said that slimmers were distracted by chatter and were not allowed enough time on the scales. The trial continues.



Cook undercover weights inspector

## Cash win by victim of Exocet

By FRANCES GIBB  
LEGAL CORRESPONDENT

A SHIPS radio officer severely injured in the Iran-Iraq war is believed to be the first civilian to win compensation in an English court for injuries arising from enemy action in a war zone.

Nicholas Tarrant, 40, lost his right eye and suffered head injuries which ruined his career and left his memory severely impaired, when his salvage tug was struck by an Exocet missile. Mr Justice Clarke yesterday held that a leading marine salvage company Semco Salvage Ltd had negligently failed to give its tugboat skippers instructions on what to do in the event of an Exocet attack. Colin Waters, of Patinson & Brewer, solicitors, estimated that Mr Tarrant would be entitled to between £350,000 and £500,000 damages. Mr Tarrant, from Hailgate, Howden, North Yorkshire, was on the salvage tug *Salvival* when she was struck by an Iraqi Exocet close to Kharg Island in the Persian Gulf on November 13 1987. Two crewmen lost their lives and four were seriously injured.

## Toddler keeps road awake

By SIMON DE BRUNELLES

A BOY aged four with a sleep disorder that causes him to bang his head violently has led to complaints to noise control officers.

Neighbours say they have not had a proper night's sleep in the three years since Carl Smithers developed the condition, which has left him with a bald spot on the top of his head. He only occasionally wakes himself up.

The noise has led to a feud with neighbours in Bridgewater, Somerset, who claim Carl's parents, Bob and Liz,

do not do enough to stop his nocturnal knocking. Daphne Dean, 58, who lives two doors away, said yesterday: "The banging has driven us to distraction. The sound carries right through the terrace. At 3 o'clock one morning the medicine bottles were shaking in the bathroom cabinet."

His parents say they have tried everything, including padding the bedroom wall, since their son first developed the spasms when 18 months old. The tactic failed because Carl simply sleep-walked to the nearest hard object and began banging. Mr Smithers,

48, said: "Our main worry is he will actually hurt himself. We have spoken to doctors, called a psychologist, seen a social worker but nothing seems to work. The neighbours keep complaining. We have been threatened with eviction. Our neighbours should mind their own business. We are doing everything we can and it is very difficult."

John Griffiths, area services manager for Sedgemoor District Council, said: "It is a unique situation... We are working very closely in a multi-agency approach to try and tackle the problem."

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# Lone parents given £31m 'hand up'

Personal advisers are to assist single mothers who want to return to work, reports Alexandra Freen

A THOUSAND personal advisers are to be recruited throughout the country at a cost of £31 million to help to find work for Britain's million lone parents, Harriet Harman, the Social Security Secretary, said yesterday.

The first 76 advisers are starting work in some areas this week in the first of the Welfare To Work programmes to begin operation. The scheme will be expanded nationwide next year.

Launching the initiative in Cambridge, Ms Harman said that for too long single mothers had been unfairly consigned to a life of unemployment and labelled as "scroungers". She urged them to take advantage of the new opportunities to find work, adding that the Government would ensure that more and better childcare was available. "We believe that childcare is as much part of the economic infrastructure as roads," she said.

Single parents, predominantly women, who are on



Harriet Harman with Jean Bowles, a mother of five, who says that lack of work has sapped her confidence

## Poverty deprives 2.5m children of meals, toys and trips

BY OUR SOCIAL AFFAIRS CORRESPONDENT

POVERTY forces an estimated 2.5 million children to go without necessities such as three meals a day, toys and school outings, according to a report published today.

Forty per cent of the population, or 7.5 million people, could be described as poor in 1993, compared

with 20 per cent, or 11 million people, in 1990, the study by Bristol University researchers and MORI says. The report bases its classification of poverty on a person's access to a list of items and services identified by the general public in opinion polls as the minimum necessary for an "acceptable way of life".

The findings will be presented at the House of Commons today at a meeting of social scientists from 12 European countries, hosted by Clare Short, the International Development Secretary. They show that 10 million people cannot afford adequate housing because their homes are unheated or damp, or because older children must share bedrooms.

Seven million go without essential clothing, such as a warm waterproof coat, and five million are not properly fed, having only two meals a day or insufficient fresh fruit and vegetables. About 6.5 million cannot afford one or more essential household items, such as a fridge, telephone or car, says the report. *Breadline Britain in the 1990s*.

Seventy per cent of respondents said that the Government was doing

## Reject couple w ruling on adoption

By ALEXANDRA FREAN

A COUPLE won a High Court fight yesterday to learn why social workers turned down their application to adopt a disabled orphan.

The husband and wife from Cleveland, who already have children of their own, applied to adopt a five-year-old Bulgarian girl last August. Social workers refused to tell them why they were rejected, and that meant they were unable to seek a judicial review of the decision.

Andrew McFarlane, counsel for the local authority, which cannot be named for legal reasons, said that officials believed they had no power to release the information without a court order.

Sir Stephen Brown, President of the Family Division, ruled that there was no "real value in withholding the necessary information" from the couple, known in court as Mr and Mrs B. He said: "If no reason is given, these people are left wondering whether there is some dark secret about them, or whether there is something that will inhibit them ever adopting."

Mr McFarlane said that changes in adoption law, due to come into force in November, would allow the council to give the reasons at that point. Both sides agreed to adjourn the case until November, when the couple will attempt to persuade the High Court that the refusal was mistaken in law.

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## Don't hold your breath in the vitamin dispute

EATING fruit makes the lungs work better and lengthens life. How this happens is uncertain, and it highlights the dispute over vitamin supplements.

Even as the Food Commission publishes a critical report on health claims by some manufacturers of food supplements, and Birmingham University starts to study the effect of vitamin supplements on stress and intellect in people under 60, the journal *Thorax* reports on the influence of fruit on respiratory function.

In a study of 2,600 children aged 8-11 in ten schools, the lungs of the pupils who had no fruit were on average 4 per cent less efficient than were those who had fruit once or more a day. Children in the North and Wales were least likely to have an adequate fruit intake.

Having sound lungs is not only important for athletes or advantageous in running for a train, but has an effect on general health. There is evidence of a link between good

function and survival: any greater longevity experienced by patients with good respiratory function is not only the result of an absence of pulmonary disease.

A high fruit intake provides a diet rich in vitamin C, vitamin E and folic acid, as well as beta carotene and other related organic compounds. Which vitamin is responsible for better respiratory function, or whether all play a part, is uncertain. Either way, the research emphasises the importance of the Health Education Authority's call for five portions of fruit or vegetables to be eaten daily.

Few doubt that the best diet is one laden with anti-oxidant vitamins and other trace elements. As life becomes more complex, and more live to

ages at which gastro-intestinal powers of absorption can be failing, vitamin supplements may be necessary. The aged, the sick, the pregnant, food faddists, heavy drinkers, smokers and those too busy to eat well and leisurely may need supplements.

It will be a pity if the advantages of, for instance, the Mediterranean diet rich in fruit, vegetables, cheese, fish and wine was discounted because of extravagant claims by a few manufacturers of alternative medicines. It could equally be life-shortening for some other people if they were discouraged from taking vitamin supplements despite their special needs.

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# Take That singer accused of spoiling band's clean image

Adrian Lee hears High Court claims that Robbie Williams indulged in drink and drugs

THE most charismatic member of the chart-topping band Take That rebelled against the group's clean-living image and turned to drink and drugs, the High Court was told yesterday.

Robbie Williams arrived at rehearsals hung over and ignored a code of rules by which the five members of the band had agreed to abide. Eventually, he walked out on the group when it was one of the biggest acts in Europe after two No 1 albums and a string of hit singles, the court was told.

Williams, 23, of Stoke on Trent, Staffordshire, is being sued for the non-payment of commission by Nigel Martin-Smith, who created Take That to appeal to young girls. The rise of the band and its equally sudden demise, undermined by the allegedly increasingly erratic behaviour of Williams, its singer, was described by Richard Millett, representing Mr Martin-Smith. He said the band was founded in 1990, a record deal was signed a year



Take That sought to please their fans' mothers

later, and by 1992 it began to enjoy "enormous commercial success both nationally and internationally".

Take That were a novelty. With the exception of Gary Barlow, none of the members had any musical training or any experience of the entertainment industry. "They were a boys' band, marketed at young girls. They were de-

signed to please rather than shock. They were the sort of boys that girls could take home to their mums for tea," Mr Millett said.

To protect that image, there was a code of do's and don'ts. It included not going out unchaperoned and avoiding unplanned interviews. The band members were all committed to the group, nurtured

excellent relations with the media and portrayed themselves as unattached boys who were likeable and clean living.

Williams was the most high profile, the band's exorciser and funny man. By 1993 Take That was enjoying immense chart success, but a year later Williams's behaviour began to alter. "He began to behave in a manner out of step, out of synchronisation with the rest of Take That, and with the do's and don'ts."

"He began to go out to parties and he developed a taste for glamorous and flamboyant parties, alcohol and narcotics. Williams was turning up at rehearsals hung over and unprepared to rehearse."

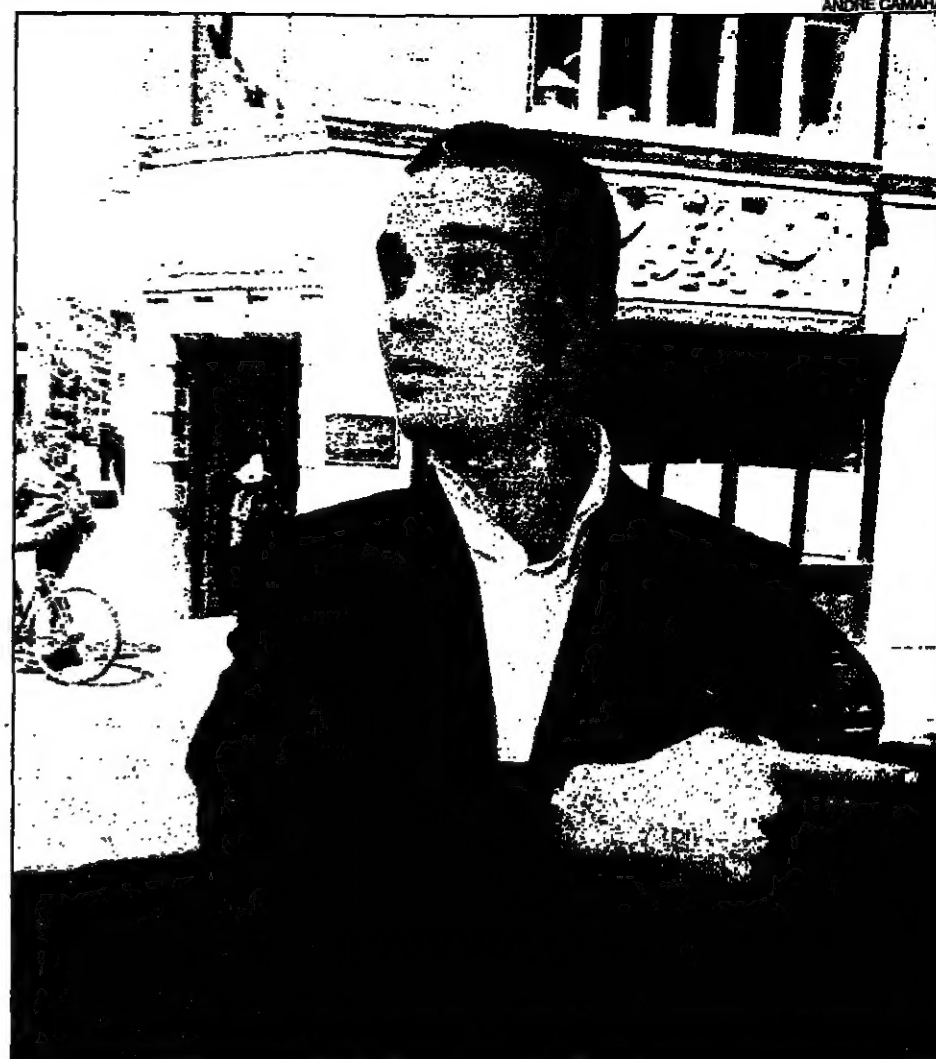
Other band members held a crisis meeting to try to "sort Robbie Williams out". Mr Martin-Smith struggled to keep Take That together but preparations for a tour were marred by the antics of Williams and his uncertainty over his future with the band. He was said to have lost interest in Take That and in July 1995

he announced his departure. He wanted to stay for another six months but the band, which is now defunct, insisted he should go immediately.

Williams, with cropped hair and wearing a black suit and open-necked white shirt, heard Mr Millett say his client had a binding agreement to receive 20 per cent commission from the pop star. Although Williams's contract with BMG, Take That's recording company, was bought out by another label when he went solo, the deal with the founder and manager of Take That was still in force.

Mr Martin-Smith is claiming damages of several hundred thousand pounds, including record royalties, money from an appearance by Williams on Channel 4's *The Big Breakfast* and income from a fizzy drinks commercial by Williams.

Williams claims that he does not owe the money because the right to the royalties ended when he left BMG. The hearing continues.



Robbie Williams at the High Court yesterday. He denies owing commission

## Boy tells of vain bid to defend mother

By Simon de Bruxelles

A TEN-YEAR-OLD boy and his 12-year-old sister told yesterday how they tried in vain to protect their mother from a knife-wielding intruder.

Brady Wallace told a jury that he hit out at the attacker with a metal pole from a table football game. He wept as he described how he pleaded with his mother not to die after the man had stabbed her repeatedly with a kitchen knife.

Brady and his sister, Sacha, were speaking on a two-way video link at Bristol Crown Court. Barbara Wallace, 33, died after suffering multiple chest injuries, including the fatal stab wound to the heart at her flat in Bristol in January last year.

Errol Graham, 24, who denies a charge of murder, had had a two-month relationship with her but found it "very difficult to let go" when she finished the affair, the court was told.

The two children saw the attack and ran to a nearby telephone kiosk to dial 999. Brady said that when he returned to the flat he found his mother dead.

Sacha said she tried to stop her mother's attacker leaving the flat after the stabbing. "I tried to grab him but he was going too fast," she said.

Police investigating the murder later found a blood-stained knife at Mr Graham's home in Horfield.

The trial continues.

## Executive 'sidelined' for box of chocolates

By A Staff Reporter

AN EXECUTIVE said yesterday that he was accused of harassment after he gave a box of chocolates to a woman colleague as a Christmas present.

Tony Manning, 37, said he left the box of Roses on Yvonne Laurie's desk with a note saying: "If the turkey doesn't get you, these certainly will." The note also wished her a Merry Christmas and added: "I am concerned about how thin you are getting. These will fatten you up," an industrial tribunal heard.

The BT computer expert said he was "sidelined" to a different job after Miss Laurie, 26, complained that the £150 box of chocolates was "unwanted attention". He is claiming compensation for sexual discrimination.

Mr Manning, a father of two, told the hearing in Bury St Edmunds, Suffolk, that he gave the chocolates two days before Christmas 1993. "It was just a friendly thing to do. I was not trying to get on with her."

Mr Manning, from Great Blakenham, near Ipswich, Suffolk, said Miss Laurie had earlier invited him and his eight-year-old daughter, Katie, to a pantomime she was directing. At the time he did not realise she had told BT bosses that she felt he had been harassing her outside work. The two had played squash and sent e-mail messages to each other to discuss work. The case continues.

# FROM CELLNET. HELP FOR PEOPLE WHO ARE ALWAYS ON THE PHONE.



## Thief crashed car with woman inside

By A Staff Reporter

A CAR thief who drove off under the influence of drink and crashed with an 87-year-old woman still in the vehicle, was jailed for five years yesterday.

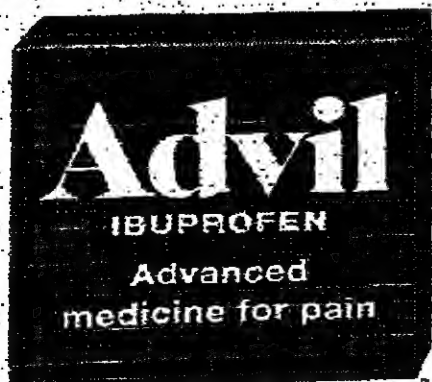
Alan Williams stole the car from a Chester car park while its owner, the woman's daughter, was shopping. He sped through the streets and hit several vehicles before turning the car onto its side. Williams

escaped through the sunroof, leaving Mary Martin trapped inside and one of her daughter's two dogs dead.

He admitted at Chester Crown Court falsely imprisoning Mrs Martin, threatening to kill her, aggravated vehicle-taking, drink-driving and driving without insurance.

During the ride, Mrs Martin tried to grab the steering wheel. Williams told her: "If you do that again, I'll kill you."

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# Covert cameras planned for key sites in London

A SURVEILLANCE camera system that can check car number plates in seconds is to be introduced at important installations in London and on main roads into the capital, Sir Paul Condon, the Metropolitan Police Commissioner, will announce today.

The covert system, which is intended to deter bombers, drug smugglers and other criminals, will be used throughout the Metropolitan Police area but prime districts expected to be monitored are Whitehall, Westminster, the royal palaces, Heathrow and the Blackwall Tunnel. Other likely areas are where motorways start in the London suburbs. Scotland Yard refused to say how many cameras would be used.

The surveillance system scheme is disclosed in the Commissioner's annual report which shows that violent attacks in London rose by 33.5 per cent between April 1996 and March this year. Sexual offences rose by 36.3 per cent. The report also shows that in spite of Operation Eagle Eye, a campaign against muggers, street crime continued to rise though at a lower rate than in previous years.

The Metropolitan Police was unable to put a cost on introducing the automatic number plate recognition system which has been in use with the City of London Police since February. However, they believe it will be an effective counter-terrorist

## Richard Ford reports on the system that can check suspect car number plates within seconds

measure and also help to detect other serious crimes. Sir Paul says: "We must not become complacent by our recent successes. I believe this system will detect and prevent many different crimes and help us to protect the people of London against the ever-present terrorist threat."

The cameras read number plates of moving or stationary vehicles and within four seconds the plate is scanned and automatically checked against records on the Police National Computer. Officers in a control room are alerted if the car is suspect.

The system, using computer software, can be linked to video cameras already installed in London and has also been introduced at Calais and Folkestone allowing police in Kent to check motorists using the Channel Tunnel.

In the City of London the system is easier to operate because the "ring of steel" has restricted the number of entry points to the financial centre.

Between February 3 and April 13 the system led to 47 arrests and 1,045 follow-ups where cars were tracked or stopped in connection with crime.

Sir Paul's report shows that recorded crime rose by 2.3 per cent to 841,790 offences between April 1996 and March this year compared with 822,596 offences in the 12 months to March 1996.

There were 53,721 violent crimes against the person in the same period compared to the 12 months to March 1996, sexual offences rose by 26.3 per cent to 7,708 and robbery by 8.4 per cent to 32,649. Burglary fell by 5.2 per cent to 161,377 and murder from 140 to 127, the lowest for 15 years. Sir Paul said he was disappointed that muggings and other street crime had risen.

Robbery of personal property reached 28,411 compared with 26,958 in the 12 months to March 1996 and theft from persons was 25,711, an increase of 711.

Sir Paul says that Operation Eagle Eye in areas with serious mugging problems has led to the emergence of the "travelling robber" who moves to other parts of London in an effort to avoid being caught. He adds: "Street robbers have also been involved in 'steaming' offences in premises such as building societies, where a group of street robbers use their collective presence to engender a fear of violence in victims before stealing from them."



Diana, Princess of Wales, back from her holiday in France, meets Holly Ann Robinson March, a chemotherapy patient at Northwick Park Hospital, near Harrow, during a visit to unveil a foundation stone for a child casualty centre

## Jealous flatmate 'spiked friend's insulin supply'

By MARK HENDERSON

A TEENAGER who could not bear to see his diabetic flatmate dating his friend's friend spiked his insulin supply, possibly with bleach, leaving him critically ill, a court was told yesterday.

Matt Wright, 19, from Ashford, Kent, doctored Tommy Roderick's supply of insulin with an alkaline substance when he became jealous of his friend's relationship with Maxine Fletcher, 18, whom he had dated for 13 months, a jury at Maidstone Crown Court was told.

Mr Roderick spent several days seriously ill in hospital after injecting himself repeatedly with the contaminated insulin and continued to take the poisoned supply after he had been discharged. Doctors thought he was suffering from an infection, unaware that the insulin had been tampered with. Mr Roderick stopped taking it only when he noticed his supply was discoloured and bought a new bottle.

Robin Johnson, for the prosecution, said that Mr Wright could not bear to see Miss Fletcher and Mr Roderick together. "It's clear that the defendant resented the fact that the woman he wanted was there in front of him kissing and cuddling his flatmate."

He said that Mr Wright deliberately put a noxious substance into Mr Roderick's insulin, which he kept in a paper bag in the kitchen of the pair's shared flat. "There was a deliberate and cynical action which Mr Wright was bound

to know would cause serious consequences," he said.

Mr Roderick began to feel ill two weeks after he began dating Miss Fletcher. He vomited soon after injecting himself with insulin on August 25 last year. He was taken to hospital suffering from high blood sugar. Doctors feared that his condition was life threatening, the court was told. He improved after taking fresh insulin in hospital but his symptoms returned when he took the contaminated supply again when he was discharged.

Mr Johnson told the court that Mr Wright had admitted tampering with the insulin to a girl he wanted to date. "The word she remembered was disinfected but what was put into that insulin will probably never be known," he said. When Mr Wright was arrested, police removed a bottle of bleach from the flat.

Mr Roderick's father, Thomas, remembered Mr Wright asking what would happen if his son could not take the drug. Mr Johnson said.

Miss Fletcher told the court that Mr Wright had written her several letters in an attempt to win her back. "I said I wasn't interested in going back out with him but I didn't mind being friends," she said.

Mr Wright denies causing grievous bodily harm with intent and causing a noxious substance to be administered or taken so as to endanger life. The trial continues.

## Dean resigns from Lincoln Cathedral at Carey's urging

By RUTH GLEDHILL and PAUL WILKINSON



Jackson: innings closed

THE Dean of Lincoln yesterday announced his resignation from the cathedral "specifically at the request of the Archbishop of Canterbury and at quite some personal cost". The Very Rev Brandon Jackson's decision is expected to end an era of strife at the Gothic masterpiece.

He said in a statement yesterday: "It has become increasingly clear to me that I have been at the wicket too long. There is no chance at all of a result and, therefore, the only sensi-

ble thing to do is to declare the innings closed. There are other grounds with more favourable wickets with runs to be scored and games to be won. Future prospects are exciting. There is all to play for."

He and Canon Rex Davis, the sub-dean, were asked to resign more than a year ago by the archbishop. Dr George Carey. Trouble between the two men began in the late 1980s after a fundraising trip to Australia headed by Canon Davis incurred losses of more than £50,000. Dr Jackson, 63, said his leaving did not amount to an admission of guilt or

fault. Two years ago the dean was acquired by a consortium of "conduct unbecoming" after Verity Freestone, a former cathedral vergier, alleged that he had attempted sexual relations with her.

The Bishop of Lincoln, the Right Rev Robert Hardy, said that he hoped Canon Davis would leave too. The canon declined to comment except to say that he felt the dean's resignation "had not changed anything".

The dean, who is to take a six-month sabbatical, has not decided on a new appointment. He and his

wife, Mary, are to leave Lincoln and buy a retirement home. On his retirement, the dean can expect to receive the standard clergy lump sum payment of £26,500, plus a pension of about £11,000. He said: "In terms of my leaving, no compensation has been asked for and none has been offered."

Dr Jackson said that he would continue to fulfil his duties as dean but added: "I shall begin to wind down and seek to distance myself and my wife from some of the day-to-day stress and pressures inflicted upon us." He said he had also

resigned his canonry, which effectively severs all practical links with the cathedral. Bishop Hardy has granted him the title Dean Emeritus.

The bishop said: "It is good that the dean, after 12 months, has accepted the archbishop's request for his resignation. It puts an end to the uncertainty and enables us in Lincoln to look ahead. I hope very much that the sub-dean will take the same course of action."

"It has all been very painful for me, my family, for the cathedral, the whole community and, of course, the individuals involved."

## Man, 78, jailed for abuse 39 years ago

By A STAFF REPORTER

A MAN who preyed on three girls was yesterday sentenced to one year's imprisonment, 39 years after the first offences.

Alexander Currie, 78, admitted using lewd and libidinous practices towards three girls at various times in his home in Stirling. The offences, involving the abuse of two girls from 1958 to 1963, and of another girl in 1995, came to light when the most recent victim complained.

The case was delayed at Stirling Sheriff Court until a police doctor's report found Currie fit for custody. He has a heart complaint and suffers from senile dementia.

The attacks started when the girls were aged between six and ten. Two of his victims are now aged 45 and 49. On one occasion in 1960, while his family were at church, he lured one girl, aged eight, into his bed and stimulated sexual intercourse.

Sheriff Robert Younger told Currie: "In view of your age and failing health, I'm sentencing you to one year's imprisonment. That is less in my opinion than your guilt of these charges would normally deserve." The judge also ordered a six-month supervised release because there was a risk he would reoffend.

Depute fiscal Laura Miller said the earlier offences came to light only after the most recent victim complained about Currie touching her over several months and social workers were called in. Mrs Miller said the girl, then seven, told social workers he had touched her when he was shaving.

Of the earlier offences, Mrs Miller said: "There were other family members in the house but they were unaware of what was happening."

George Pollock, for the defence, said: "His family appear to be willing to accept him and forgive him and look after him in his twilight years."

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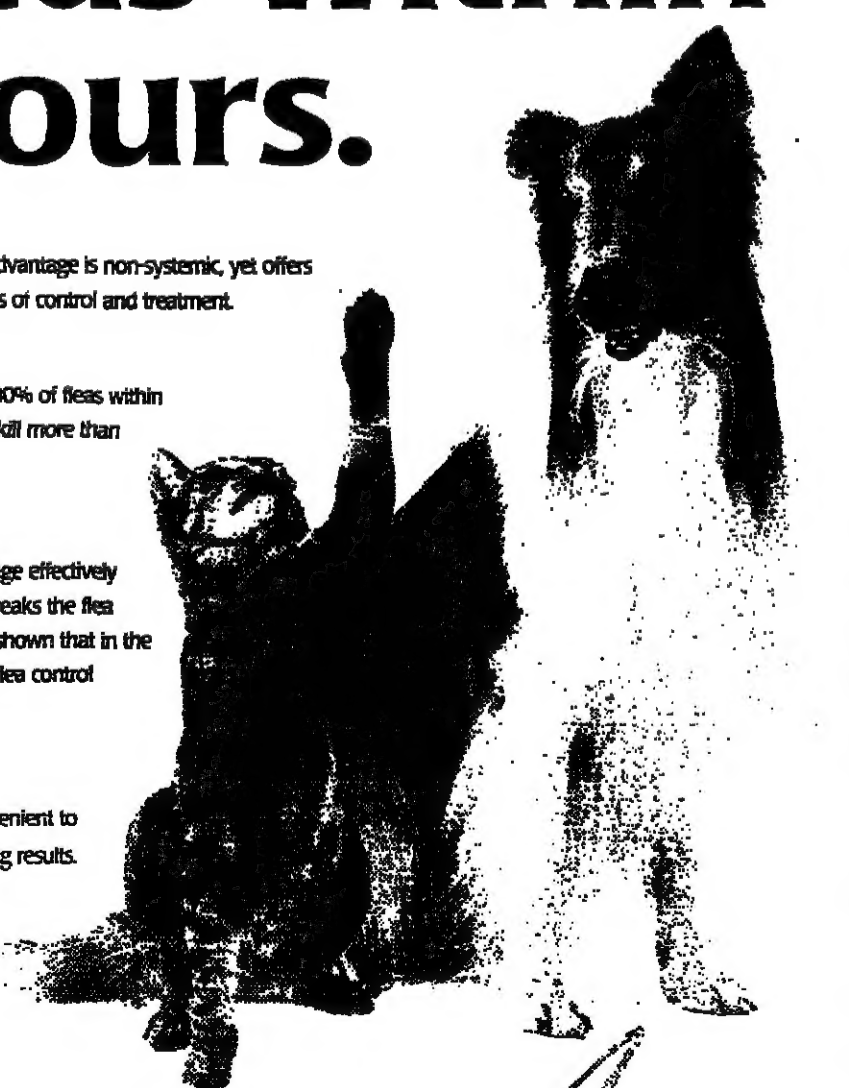
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## Allan Rogers MP

Yesterday's Diary item "Straight Talk" about the war of words between Dr Adrian Rogers and Ben Bradshaw, MP for Exeter, was mistakenly accompanied in some editions with a photograph of Allan Rogers, MP for Rhondda, who is in no way involved in the dispute described. We apologise for the confusion caused.

## Robert Broudie

An article ("Solicitor wins sex bias case", April 5) reported an industrial tribunal case against a Liverpool solicitor, Robert M. Broudie. The tribunal said on the facts in dispute it found Mr Broudie's evidence persuasive. It rejected the applicant's claims that Mr Broudie had harassed her with offers of romance, kissed her shoulder at an office party, peered through the window of her home, demanded the return of a cake and made telephone calls to her home causing the break-up of a relationship. The applicant recorded only one conversation with Mr Broudie, which to some extent supported his version of events. We apologise to Mr Broudie for not making these matters clear.

### CORRECTION

Lord Justice Staughton did not say, as mistakenly reported in an appeal court case relating to the employment of clergy (report, July 12), that there was no address for God, and that He could not be served with documents.

## Driver with past takes a turning into the Church

By RUTH GLEDHILL, RELIGION CORRESPONDENT

A FORMER drug addict who served time in jail for a stabbing has become a Church of Scotland minister. The Rev Cameron McKenzie was converted when he was working as a minicab driver, after a spiritualist passenger shocked him by knowing details of his life that he had kept secret.

Mr McKenzie, 37, who was ordained last week and serves in Haddington, East Lothian, said: "I wouldn't say that I found God. He came looking for me."

Known during his youth as "Curmy", he served two years in jail for a revenge stabbing, and after his release spent

hundreds of pounds satisfying a craving for amphetamines, cannabis and cocaine. He said: "I was involved in some heavy duty stuff - drugs, drink and dishonesty. I was never into house-breaking - the dishonesty was more to do with ripping off the authorities, the social security and the taxman."

"I saw them as legitimate targets. I was into drugs in a big way. I was on dope, LSD, speed, acid, occasionally coke, and some pills."

His life changed in 1987, when a female passenger in his cab told him she was a spiritualist and began describing his life.

Mr McKenzie said: "When I turned round to get my two quid fare, I also got the story of my life. She told me things about my life that even my own mother couldn't have possibly known."

"She finished by telling me there was a great black cloud hanging over my life, and the only person that could take it away was God."

After chatting with friends, Mr McKenzie started to take an interest in religion. Initially he attended Christian house gatherings and later joined his local church before seeking ordination.



McKenzie involved in "heavy stuff"

## Judge condemns Nigerian fraudsters

A JUDGE born in the West Indies sent three Nigerian fraudsters to prison yesterday and said: "I am going to make an observation which other judges cannot make because they might be accused of being racist. This sort of offence is being committed by well-educated Nigerians."

Recorder Leonard Woodley, QC, who is British but was born on the Caribbean island of Trinidad, said that he was imposing tough sentences as a deterrent to others.

None of the convicted men had had the "courage or decency" to plead guilty, he told Southwark Crown Court.

The three men had a trunk of 12 million pieces of paper, coated in black starch, and cut to the size of American \$100 notes. They pretended that it was money

that had been coloured black so it could be taken out of Nigeria, and that it needed an expensive chemical to wash away the starch.

Lester Turner, an American lawyer from Harbour Springs, Michigan, was fooled into paying the Nigerians \$28,200 (£16,500) for the paper in the expectation of making a profit out of the deal when the "money" was cleaned.

Police had been keeping the gang under surveillance and the three were arrested after an undercover officer calling himself Carl Alexander told them that he was prepared to pay £20,000 for the worthless pieces of paper. All three were convicted of conspiracy to defraud and deception.

Yesterday the ringleader, Ibrahim Dumuje, 41, a company director, from

Edgware, northwest London, was jailed for four years. Charles Oba, 41, unemployed, from Kingsbury, northwest London, was sentenced to three years. Crickleswood, was given two years.

The judge revealed that Dumuje was a well-known businessman in Nigeria and had been earning more than £100,000 a year. He was the director of a travel company and before his arrest he had political aspirations in his homeland. Adim was said to have obtained a degree at Middlesex University and had later gained an MA in business administration.

The judge said: "You tried to pull the wool over the eyes of the jury. I cannot understand how on earth you thought you could get away with it."

Hospital plans for disaster condemn

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# Hospitals' plans for disaster condemned

By IAN MURRAY, MEDICAL CORRESPONDENT

HOSPITALS are badly prepared for major disasters such as train crashes and fires, a survey published today says.

Emergency teams are usually not given clear enough instructions to be effective, according to the study of nearly 150 hospitals handling at least 30,000 emergency patients a year each.

Although the NHS Executive told hospitals in 1990 to draw up guidance on assembling teams to handle major incidents, half the plans failed to list all the members required. Only a third of the teams contained both a surgeon and an anaesthetist.

Few of the hospitals distinguished between surgical and medical resuscitation teams, says the survey carried out for the Royal College of Surgeons. In almost half the teams the leader was a doctor in training. Members of the mobile teams sent to the scene were invariably junior doctors with the least experience.

The report says that plans seem to be based on which staff were available rather than on the skills and experience needed. Plans failed to name individuals needed in key roles.

"Experience has shown that major incidents may result in a large number of clinical conditions, not just multiple trauma," the report says. "A

broad background of experience in resuscitation is therefore essential." It was better to send senior clinicians in emergency medicine than surgeons with little experience of chest pain or respiratory burns.

"Many plans use surgeons in an unfamiliar role when they might be better employed in the receiving hospital," says the report in *Pre-Hospital Immediate Care*, a specialist magazine produced by the British Medical Association.

The routine use of surgeons in mobile medical teams may result in an unnecessary depletion of a receiving hospital's surgical resources.

"Modern techniques of rescue and extrication have greatly reduced the need for on-scene surgery. Most patients with a requirement for surgery will be moved from the scene rapidly, often before a mobile team can be assembled and transported. When on-scene surgery is required, it is limited almost exclusively to amputation."

The report says that well-trained, experienced staff are essential. Where it is impossible to provide a full team of specialists from one hospital, arrangements for sharing consultants must be made.

"Major incident planners should review plans for the pre-hospital response to major incidents in the light of these results," the report urges.

## Mentally ill 'left alone'

By OUR MEDICAL CORRESPONDENT

TOO many psychiatric patients are left on hospital wards with too little to do, the independent Mental Health Act-Commission said yesterday. The patients have limited opportunities to talk to the staff and the distribution of medicines is the "main therapeutic component of the day".

The commission's biennial

report says that for the first time in a decade there are signs that the number of people detained under the 1983 Mental Health Act is levelling off, after rising by 53 per cent in the early 1990s. There are now 26,100 a year. Once admitted they are likely to find staff are preoccupied with those who are at risk or need special observation. Women rarely had a choice of single-sex wards.



Alan Whitfield, the pilot, left, and his son Ian, right, on a trial dive beneath Windermere. The crew hope to take paying customers soon

## Windermere launches in-depth adventure

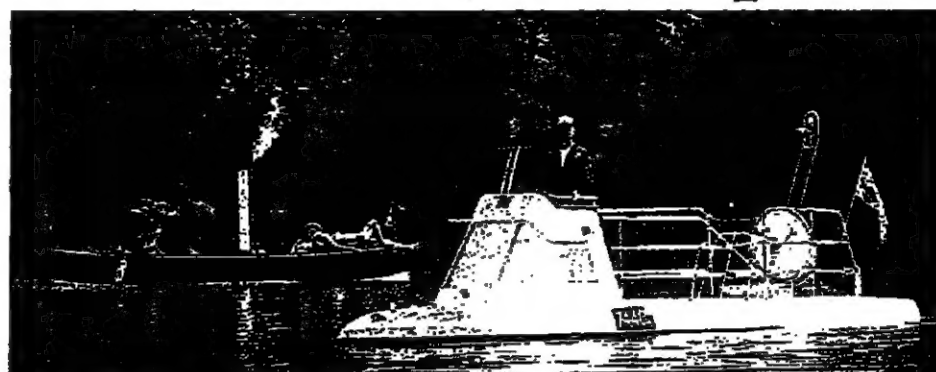
By RUSSELL JENKINS

A FINNISH-BUILT submarine that will take tourists to the bottom of Windermere for an adrenalin-filled hour of exploration was put through its paces yesterday.

Speeding water skiers and gentler steamboats were quickly lost to view as the ten-passenger *Mergo* descended through beautiful translucent green to murky darkness.

More than 100ft below the surface the craft touched bottom, throwing up silt and debris. Powerful lights searched for aquatic life or wrecks beyond the immediate fog. Only yards away were the remains of an experimental paraffin-fuelled aircraft that crashed without its pilot off Ringing Crag in 1917.

Further into the muck were pike, perch, stickleback, the rare Arctic char and the mysterious wrecks of many a holed steamboat, as well as several Shorts Sunderland



The *Mergo* submarine passes an old steamboat on Windermere before diving

flying boats of the Second World War which, according to legend, were scuttled near by in 200ft of water.

The submarine will soon ply for trade, at £49.50 for an hour's dive under Windermere, the biggest lake in England. The crew, led by Alan Whitfield, director of Silvercrest Submarines, based in Cirencester, is still looking for rewarding sites.

Although there is little but zooplankton to see at the moment — scarcely sensational to a generation brought up on television Jacques Cousteau programmes — the dives are being billed as the only chance to become a submariner in Britain short of joining the Royal Navy.

Mr Whitfield said: "Where you are going, no man has ever been before. It is the

underwater equivalent of going to Mars." When the submarine excursions are established, the crew want to be able to investigate the site of an old steamboat called the *Elfin* that sank off Ambleside in 1927 in 60ft of water. Mr Whitfield is discussing possible sites with the Steam Boat Museum in Bowness.

Mike Smith, the co-pilot, said: "It is quite possible we

will move the operation up to Ambleside. We are certain there are better diving conditions in that water basin. That is where they were dumping the old steam boats in the late 1940s when they became obsolete."

The advent of submarine travel on Windermere has been greeted with only minor alarm by the lake's anglers, who fear for the future of the Arctic char, a throwback to the Ice Age.

Silvercrest brought the Helsinki-built *Mergo* back from an unsatisfactory sojourn in the Florida Keys. The craft takes the place of a smaller submarine that took paying customers for two summers under the surface of Loch Ness. Mr Whitfield acknowledges that they never saw any sign of Nessie but they did hear strange sounds during their deep "black-water dives". They hope that Windermere will be more generous with her secrets.

## RAC puts London's 15,000 lost drivers on the map

By ARTHUR LEATHLEY  
TRANSPORT CORRESPONDENT

MORE than 15,000 motorists are lost in London at any one moment because of dilapidated or non-existent road signs, the RAC claimed yesterday.

The absence of clear street-side information is forcing thousands of drivers to cause unnecessary congestion throughout the day, the motoring organisation said. It is proposing a £15 million programme of replacing or erecting signs as part of a string of measures to counter traffic hold-ups that could be introduced swiftly and relatively cheaply.

In a report on transport policies in the capital, the RAC issued a warning that the Government's long-term plans for a new transport policy would not be taken seriously unless ministers took action on short-term remedies.

The RAC's blueprint for action demands that ministers make it a priority to create a city-wide transport authority to co-ordinate roadworks and street closures.

More cycle parking facilities and wider use of home delivery services by supermarkets could ease London's traffic problems relatively cheaply, the report, *Transport Policies for London*, says.

The report also recommends that high quality, secure motorcycle and bicycle parking facilities should be provided at rail stations and in West End shopping areas. The red route schemes that prevent parking on bus routes should be extended to priority routes and there should be tougher implementation of parking laws.

Edmund King, the RAC's head of campaigns, said: "We have identified several areas which should be given an immediate priority and must not be delayed by the Government's transport policy review."

"We are proposing small, solid steps which, taken together, can ease congestion. If we cannot take these steps, more ambitious and costly measures will remain beyond reach."

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# Minister who is determined to relinquish his empire

By VALERIE ELLIOTT  
WHITEHALL EDITOR

IT IS rare for a Cabinet minister to volunteer the stripping of his empire. But when Ron Davies, the Welsh Secretary, publishes his White Paper on devolution today he will be taking the first big step towards giving up responsibility for spending £7,000 million a year to the proposed Welsh assembly.

Under the plan, he will also lose about 2,000 civil servants, who will work for the all-party new assembly, and his two junior ministers. He will, however, remain as a voice for Wales in the cabinet and in Europe. He will also be an ex-officio member of the assembly, observing its work and making statements to it. He is expected to retain an office, his Permanent Secretary and a staff of between 50 and 100 officials.

Mr Davies, a vehement anti-devolutionist in 1979 when Wales rejected the proposition, has become a devotee with a passionate distaste for "rule by governor-general in Wales". Since he arrived at the Welsh Office in May he has worked tirelessly with officials on the White Paper. It has been ready for weeks and there was some disappointment in the department when they were made to wait until the Scottish proposals were ready before they could publish.

Under the proposals, the Welsh Secretary will continue to act as the conduit between the Cabinet, Whitehall and the assembly. He would also be

## THE WHITEHALL REVOLUTION

In a series of articles, *The Times* examines the Government's efforts to bring a fresh approach to

charged with battling for funds for Wales in the regular public spending rounds with the Treasury. Welsh Office staff will also continue to be part of the career Civil Service.

There will, however, be an inevitable culture shock for staff who will be working for all parties. Mr Davies is determined that the assembly must be as "inclusive" as possible and he wants it to be open and flexible in the way it deals with the Opposition parties.

It is likely that it will take about two years to set up an assembly and organise elections for the 60 places — 40 constituency seats and another 20 to be decided by proportional representation. Regional committees will also be set up to influence the assembly. The Government has decided there is no reason why Welsh Labour MPs cannot also stand in the assembly.

Crucial to the success of the assembly is a new organisation acting as the economic powerhouse for Wales. Mr Davies will outline his idea to beef up the Welsh Development Agency in the White Paper. It is expected to take

over the work of the Development Board for Rural Wales and the Land Authority for Wales to create a massive new body to encourage inward investment, new business and jobs.

Other quangos and public bodies, however, will be dismantled to allow the assembly much greater input on vital issues such as housing. Only those set up by royal charter or which offer truly specialist advice are likely to be retained.

It has not been an easy ride for Mr Davies. Little known outside Wales, he quickly established a reputation as a bruiser when he was accused by the Labour MP

Llew Smith, a Welsh devotee, of threatening to expel him from the party if he spoke against the assembly. Mr Davies robustly denied the charge, but the Tory Opposition is determined to continue exploiting the disharmony.

The episode also coincided with another run-in for Mr Davies. He decided to scrap the list of "boys" selected for possible public appointments and to start a new register. The decision infuriated Whitehall departments. Mr Davies got his way, but a Welsh Office source said: "They tried to tell Ron that now he was in Government the trick was to sound radical not to do any-

thing radical. They picked the wrong man."

Mr Davies is buoyed by recent opinion poll findings, which show that Welsh voters are backing an assembly by two to one, but he is determined that there should be a convincing yes vote to endorse the policy. The strategy will be for Tony Blair to visit Wales at critical periods to boost support.

The White Paper will be available from today at bookshops throughout Wales and from the Stationery Office. A short version will be sent to every Welsh household next month. A pro-devolution rally will be held at Cardiff Castle tonight.

## The In-Tray

● Reform of quangos: manifesto pledge to dismantle Welsh quangoocracy, some 120 bodies running everything from housing to hill farms, usually staffed with Conservative supporters.

● Education: a special education taskforce to improve links between education with skills training. Creation of family literacy centres for parents and children.

● Health: review GP fundholding arrangements. Identify more cash for dental services. Improve health and diet of Welsh people.

● Transport: more work to improve north-south road link. Review potential for expansion at Cardiff Airport.

● Welsh assembly: ministers must decide the site. The favourites are the former Coal Exchange in Cardiff or Cardiff City Hall.

● Jobs: implement Welfare to Work and encourage more inward investment.

## The Welsh Office

**RON DAVIES:**  
Secretary of State  
Aged 50. Bright but abrasive operator who likes his own way. Often tetchy, outspoken and spurs with officials to test ideas. Detests old Labour label. Passionate about animals and the countryside. Opposes fox-hunting. Began learning Welsh while in Opposition. A strong Commons fiver who can help to win over the Left.

**PETER HAIN:** Parliamentary Under-Secretary  
Aged 47. Born in Nairobi and educated in South Africa. Was prominent anti-apartheid campaigner in his younger days. Clever, ambitious and careerist. A former editor of *Tribune*, he has strong credentials with Labour Left. Chosen by Blair to see through devolution for Wales. His rise will depend on it.

**WIN GRIFFITHS:** Parliamentary Under-Secretary  
Aged 54. Born in South Africa but grew up in Brecon. Former history teacher, MEP, and former vice-president of the European Parliament. Calm, reliable, efficient administrator.

**RACHEL LOMAX:** Permanent Secretary  
Aged 52. Whitehall high-flyer. Educated at Cheltenham Ladies' College. Tipped to become next Permanent Secretary at the Treasury. Turned down chance to head Tony Blair's policy unit but has outside chance of succeeding Sir Robin Butler as Cabinet Secretary.

**NUW ROBERTS:** special adviser  
Aged 50. A former Welsh Office press officer who worked for ITN and South Wales Electricity. Has a lot of political nous and has quickly won trust of Ron Davies.

## Smith to monitor Bland inquiry

By JILL SHERMAN  
CHIEF POLITICAL CORRESPONDENT

CHRIS SMITH will call in the police if an internal inquiry backs allegations that Hamilton Bland, a BBC swimming commentator, has been involved in a conflict of interest over National Lottery money distribution.

The Secretary of State for Culture, Media and Sport has initiated a speedy inquiry into the allegations reported in *The Times* last week. The inquiry, which is due to report before the end of the month, is being carried out by senior audit officials within the department and the English Sports Council. But senior ministers last night made clear that the council's own handling of the matter was also under scrutiny.

There has been concern that the council apparently ignored early warning signs of Mr Bland's involvement.

Sources close to the department said Mr Smith would immediately refer the matter to the Director of Public Prosecutions if the allegations are substantiated. The sources added that the Sports Council, which distributes lottery cash and is being funded by Mr Smith's department, might be advised to sack Mr Bland if the allegations were proved.

Mr Bland has an official role recommending to the sports council which swimming pool bids should receive lottery money. But according to an investigation by *The Times*, he also has a profitable business as a consultant to voluntary organisations who want to secure lottery funding to build pools.

The sports council raised concerns about Mr Bland's multiple business interests two years ago, but the Amateur Swimming Association still renewed his contract as its facilities consultant.

Since then more than £80 million has been allocated from lottery funds to build new pools and the association is seeking a further £500 million for 19 more Olympic-size pools and dozens of smaller pools.

Mr Bland does declare to the association which organisations he represents and is not involved in making recommendations on whether these pools should get cash.

## Ministers defeated in Lords

By JAMES LANDALE  
POLITICAL REPORTER

THE Government yesterday suffered its third parliamentary defeat when peers supported Conservative changes to plans for a referendum on Scottish devolution.

The House of Lords voted by 149 to 132 in favour of a Tory amendment to ensure that the referendum will be on a Scottish parliament with powers to raise only income taxes. The Referendums (Scot-

land and Wales) Bill, which came up for its report stage in the Lords yesterday, initially referred to only the more general "tax varying powers" of a Scottish parliament. Although ministers have said that the parliament will be able to change only income taxes, the Tories insisted that the power should be spelt out on the face of the Referendums Bill.

The defeat will be overturned in the Commons later this month by Labour's large

majority but the move will allow Tory spokesmen to focus on the fears of possible tax rises for the Scottish people.

Lord Mackay of Ardbrecknish, Tory spokesman on Scottish matters in the Lords, said: "This crossbench amendment would ensure that, whatever their current intention, neither this nor any future government could use the authority of this referendum to claim that the Scottish people had voted for more general tax-raising powers."

## Student debts 'sale' to raise £3 bn

By POLLY NEWTON  
POLITICAL REPORTER

THE Government's plans to "sell" student debts for future collection by private operators will benefit the whole education service, Stephen Byers, Education Minister, said yesterday.

Mr Byers said the sale was expected to raise £1.6 billion for the Treasury in this financial year and £1.5 billion in 1997/98. Twenty financial institutions were already com-

peting to buy the loans, he told MPs. Speaking during a debate on the second reading of the Student Loans Bill, which will allow for the sale, Mr Byers said that the initiative had come from the previous Government.

However, Labour had pledged in its manifesto to adhere to the Conservative's spending plans for the next two years and therefore had to implement the policy. "If that money was not raised, there would be difficulties as far as

the education and employment budget is concerned."

Mr Byers said the scheme would have to be subsidised by the Government to make it attractive to the private sector, but that subsidy would be set at the lowest possible level.

The interests of students would be protected through an independent complaints procedure and through regulation by the Government of loan terms and conditions. Mr Byers said: "Selling the loans and transferring the risk of

default to the private sector inevitably means the purchaser has to take over responsibility for loans and administration but this doesn't mean that borrowers will be abandoned."

The move was welcomed by Angela Browning, Shadow Education Minister, who applauded the decision to continue the plans of the previous government.

The Bill was given a second reading by 267 votes to three, a government majority of 264.

## KEEP YOUR COOL THROUGH SELF ASSESSMENT

If you were sent a tax return in April, you needn't get hot under the collar about filling it in. The sooner you start, the more time you'll have to get any help you might need - so here goes...

1. Open your tax return. (This is going to be easier than you thought!)

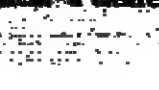
2. Check you've got all the pages you need by filling in page 2 of your tax return. If you find you need any extra pages, just call our helpline on 0645 000141. It's open between 9am and 5pm every day.

3. Get all your tax records to hand, such as bank and building society statements and share dividend vouchers. If you're on PAYE you'll need your P60 or P45 Part 2. You may also get a P19 (which covers work-related benefits) from your employer.

4. Fill in the form by following the step-by-step guidance notes. Make sure you understand them before putting pen to paper.

5. If you need help, contact your tax office - the phone number is at the top of your tax return. Or, in the evenings and at weekends, call the Self Assessment Helpline on 0645 000141.

6. Check that you've filled in everything you need to - and don't forget to sign the completed form before sending it off. Now, why not put your feet up and pour yourself a nice, cool drink?



Web address: [www.open.gov.uk/tax/ass/](http://www.open.gov.uk/tax/ass/)

\*All calls are charged at local rates.

Self Assessment - a clearer tax system

Revenue

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# Ministers accused of U-turn over lottery profits

BY JILL SHERMAN AND CAROL MIDGLEY

THE Government was accused yesterday of abandoning its manifesto pledge to put the National Lottery in the hands of a non-profit body.

Presenting the White Paper on the People's Lottery, Chris Smith, the Culture Secretary, admitted that a profit-making company could win the licence when Camelot's contract expires in 2001 if it offered the best returns for the good causes.

Mr Smith said the reforms would make the Lottery "for the many not for the few" and mark a turning point in the game's controversial history.

But during angry exchanges in the Commons, Francis Maude, the Shadow Culture Secretary, claimed that Labour had realised that its "dogmatic and destructive pledge" was at odds with its own conversion to free enterprise and profit motive. He accused Mr Smith of a U-turn prompted by Tony Blair's insistence that incentives were needed to ensure that the operator worked efficiently.

Mr Maude also claimed that the Government was siphoning lottery money off for health, education and environment to meet a black hole in public finances, despite Labour's earlier insistence that lottery money should

never be used in these areas. "You have been rolled over by Downing Street and the Treasury," Mr Maude said. "The people's lottery is becoming the Government's lottery."

The White Paper outlines the biggest reorganisation of the lottery since it began three years ago with new powers for the regulator to impose fines on the operator, a new sixth good cause — an Opportunities Fund for health, education and environment projects, and new laws to ensure more even distribution on money throughout the region.

Camelot welcomed the White Paper and claimed that it would be happy to rebid under the terms suggested.

But many charities greeted the long-awaited White Paper with disappointment. Some said that the changes did not go far enough and declared that they were pinning their hopes on the Government's initiative to invite millions of punters to give their views on how the lottery is run.

Steve McEwan, finance controller of the Anthony Nolan Bone Marrow Trust, which was turned down in its bid for lottery money to fund a mobile donor recruitment centre, said that healthy living centres were welcome but the public

wanted money to help medical research charities.

"We are pleased they are letting people have their say because we are confident that they know better than faceless committees where the public want money to go. We are pretty disenchanted with the whole lottery scheme."

Prof Gordon McVie, director general of the Cancer Research Campaign, also welcomed the new centres, but emphasised that the government taxes contributed only £15 million on cancer research each year — 10 per cent of the total amount spent. "The Government is not giving enough to research, that sadly is a fact, and lottery money would be an excellent source. However, we didn't really expect anything from this White Paper. We are now looking to the year 2000 to see if we can benefit from when the Millennium Fund closes down."

A spokeswoman for Turning Point, the charity which helps drug abusers but was denied lottery money to set up counselling centres, said: "Turning Point would like to see more specific money put into community drug schemes and drug education that would have a direct impact on communities, such as reducing drug-related crime."



Chris Smith announcing the Government's plans for the running of what it called the People's Lottery

## Sixth good cause will get £1bn

BY CAROL MIDGLEY

A SIXTH good cause will be created next year to answer public calls for more National Lottery money to be spent on popular projects. About £1 billion will go to health, education and environmental projects as part of the Government's pledge to run a non-elitist "people's lottery".

The New Opportunities Fund will pay for 500,000 teachers in Britain to be

trained in the use of information and communication technology in the classroom and set up a network of "healthy living centres" to promote health and fitness, particularly in deprived areas.

The centres, which may be mobile or set up in schools, churches, libraries and community centres are intended to give advice on subjects ranging from stress management to how to stop smoking.

One pilot project in the Wirral

and cited in the White Paper provides mobile health and fitness screening in pubs, betting shops and schools.

After-school homework and activity clubs are also to be provided for at least half of all secondary schools and a quarter of primary schools.

Chris Smith, the Culture Secretary, said that by 2001 £1 billion would have been allocated to the New Opportunities Fund and to Nesta, a new trust to promote talent in

science, technology and the arts. He said the existing five good causes — the arts, sport, charities, heritage and millennium projects — would be unaffected by the new fund.

Original forecasts predicted the good causes would get £1.8 billion each by the end of the seven-year licence period. But the success of the Wednesday draw is now expected to secure an extra £1 billion, which will go to the new fund and Nesta.

## This amounts to public spending by any definition

THE Government yesterday announced a £1 billion increase in public spending on health, education and the environment. Chris Smith, Secretary for Culture, Media and Sport, did not put it that way. In launching his White Paper on the National Lottery, he talked about setting up a new good cause, the New Opportunities Fund, to reflect "the people's priorities". The "people" is a favourite new Labour phrase, no doubt suitably focus-group tested.

Of course, the redistribution of the bigger-than-expected pot of lottery money for good causes in this way is nothing directly to do with the people. You and I have no direct say. Decisions on where the money goes

will be taken by ministers and their appointees on our behalf. The forthcoming bill will allow "the Government to specify by order the initiatives which it will support from time to time". As Francis Maude pointed out for the Tories in the Commons, it is now more the Government Lottery than the People's Lottery.

Few will dispute the proposed use of the money — extra coaching in basic literacy and numeracy, new opportunities for creative and sporting education, training teachers and librarians in the use of information technology, and a core network of healthy living centres. This is public spending by any definition. Mr Smith's attempt to put it into a

### RIDDELL ON POLITICS

separate category "additional to core programmes funded through taxation" is nonsense, especially when he added that these initiatives were "to support our priorities of health, education and the environment".

That is only partly Mr Smith's fault. The whole National Lottery has rested on the false concept of additionality. This is the claim that the money raised by the lottery is being spent on projects which would not otherwise be funded by the Treasury. Some spending has probably gone on schemes which would not otherwise have received govern-

ment money. But it has never been possible to draw a clear line between lottery and normal taxpayer-funded programmes. The Treasury has always seen lottery money as a good way of substituting for cutbacks in the main budgets of departments, and there were several arguments of this during the last government.

Mr Smith's proposals take this a stage further. They reflect Gordon Brown's acceptance of the Tories' spending totals for the next two years and Labour's attempt to find new sources of public money for popular sounding and desirable projects. But it would be much better to be straightforward and increase the Treasury's levy from the money raised by Camelot and

just parcel out the money through the usual review of public spending.

Camelot has been very good at raising money, and is now expected to raise £10 billion over first seven years, £1 billion more than originally forecast. There are economies of scale in such a national scheme, not just in the computer framework but also in all the promotion. But in so doing the lottery has nationalised decisions on giving to "good causes". The previous competitive market in donations to charitable and voluntary bodies has been undermined and replaced by dependency on committees of the great and the good.

Mr Smith should consider a more competitive structure. There is no

reason why Camelot or its successor should have a monopoly after the expiry of the current licence. Why not have an infrastructure company like the National Grid or Railtrack providing the computer network and a number of groups competing on the use of lottery money? You could buy a health, arts or charities ticket or a local one — say, for London hospitals. Rather like buying charity Christmas cards, people would feel they had some say, albeit an indirect one, over the distribution of money. That would be better than yesterday's attempt to find a way round the Treasury's spending controls.

PETER RIDDELL

## Prescott defers decision on M25

BY ARTHUR LEATHLEY  
TRANSPORT CORRESPONDENT

MINISTERS have deferred final decisions on a £1.5 billion road-building programme, including a widening of the M25.

John Prescott, the Deputy Prime Minister and Transport Secretary, has delayed an announcement, which had been expected today, on 12 road projects involved in a "fast-track" review. Gordon Brown, the Chancellor, has intervened before ministers commit themselves to long-term spending.

The intervention has raised hopes among environmental campaigners that ministers might decide to scrap the M25 project, which would be widened to ten and 12 lanes in parts of Surrey. Mr Brown is understood to have pressed for full details of six schemes under which the Government can shift road-building costs onto the private sector but pay a toll based on the volume of traffic. The system, which operates over 30 years, opens the danger of heavy public sector costs if traffic increases markedly.

A decision on the plans is to be delayed until at least the end of this week, and ministers are preparing to defer an announcement on at least one project until next year.

The decision on the M25 widening is seen as critical to the prospects of a fifth terminal being built at Heathrow. Business leaders insist that widening of the motorway is essential to cope with projected traffic levels. However, Chris Fisher, chairman of the campaign group Flame, which opposes the widening, said: "The ten-lane M25 will be as congested in 2010 as eight lanes are now so there is just no sense in the proposals."

The M25 scheme involves the widening from four lanes to six lanes the section between Junctions 12 and 15 near Heathrow, the busiest section of the orbital motorway.

Ministers are almost certain to approve the 27-mile Birmingham Northern Relief Road, which will link the M6 and M42 in Staffordshire, despite past opposition from Labour frontbenchers. Another controversial scheme, the Salisbury bypass in Wiltshire, is expected to be dropped as part of the review.

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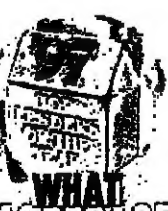
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# Women must walk quietly

Hardline Afghan rulers issue spiritual guide to shoe control

By Christopher Thomas, South Asia Correspondent

TALEBAN, the fundamentalist militia that controls two-thirds of Afghanistan, has ordered women to walk quietly — the latest dictat from the religious police while the battle for control of the country moves into a new and potentially critical phase.

Cracks appearing in the Taliban ranks have done nothing to quell the movement's enthusiasm for rules that have made it the embarrasment, and sometimes the laughing stock, of the Islamic world. The regulations are aimed, mostly at women, whose lives and movements are minutely controlled. Even the colour of their socks is regulated; white ones, regarded as comely, are banned.

Despite significant military reverses north of the capital, the militia took the time to issue a proclamation on how women should conduct themselves when outside the home — a rare event in itself, given Taliban's rule that women can only go out with husbands and male relatives.

The religious police, formally known as the Department for Promoting Virtue and Preventing Vice, declared: "Women are duty-bound to behave with dignity, to walk

calmly and refrain from hitting their shoes on the ground, which makes noises." In practice the rule is meaningless, given that Kabul women can afford only the cheapest soft sandals. High heels, in any case, are outlawed.

The police said in regulations distributed to international agencies that limiting women's rights to leave their homes was an "Islamic obligation that must be observed by foreign and local institutions". Women should not work except in the medical field.

A woman should never sit next to the driver of an ambulance or other hospital vehicle. "No Afghan woman has the right to be transported in the same car as foreigners," the regulations added.

Kabul's thousands of war widows suffer most from the ban on female employment. Many used to work for foreign aid agencies. New regulations have been sent to hospitals, telling them: "It is forbidden for women to visit male patients in wards where unrelated males are hospitalised. Stylish dress and decoration of women in hospitals is forbidden."

Anti-Taliban forces have moved within rocket range of



Kabul women in traditional burkas. The veil is one of many obligations Taliban has imposed on females

Kabul for the first time since the capital was captured by the Islamic army ten months ago. Enemy troops captured the strategically important town of Charikar, 40 miles north of the city, on Sunday. It was a ghost town after almost the entire population fled.

Taliban denied reports that the nearby Bagram airbase had also been lost. They were reported yesterday to be preparing a counter-offensive against the forces of the opposition alliance north of Kabul. A spokesman for Ahmed Shah Masoud, the Tajik mili-

tary leader whose forces are close to the capital, said the objective was to force Taliban into negotiations for the installation of a neutral force to take over Kabul and remove all weapons. This would amount to surrender by Taliban, which is determined to enforce

its extremist brand of Islam nationwide.

Kabul has come under aircraft attack several times in recent days. Seven people were killed and 12 wounded on Sunday. Such attacks are a warning to Taliban that the capital is vulnerable.

## Tehran cashes in on rail short cut to the sea

The Silk Road line is frustrating America by allowing Iran a lucrative share of business from mineral-rich Central Asia. Frank Gardner took the train



AT TEHRAN railway station they are loading great blocks of ice on to the Bandar Abbas Express. Already melting in the 100-degree heat, they will be nothing more than tepid pools in buckets by the time the train pulls into Iran's biggest port, 1,000 miles and 24 hours away.

To travel by train from Tehran, at the foot of the snow-capped Elburz Mountains in the north, to the cloying heat of Bandar Abbas on the Gulf coast, is to traverse almost the

length and breadth of this vast country. Rattling south, the train passes through deserts, mountains and holy towns such as Qom, where mullahs pace the platform beneath the black flags of Shia mourning.

For any passenger it is an awe-inspiring journey, but this scenic route is also the fastest and cheapest way for the products of Central Asia's emerging markets to reach the sea. For the landlocked nations of this region —

Turkmenistan, Kazakhstan and other Central Asian states — the recently completed Silk Road railway has given access to new ports and markets. The line is a short cut that circumvents Afghanistan's interminable wars,

frustrates America's attempt to keep Tehran out of the mineral-rich region, and delivers cargo to the international shipping lane in the Strait of Hormuz.

But all has not gone as smoothly as Iran first hoped.

After trumpeting last year's inauguration of the final link-up in the Silk Road railway between Iran and Turkmenistan, cross-border rail trade was a trickle, according to diplomats in Tehran. One reason is that Iran does not share its neighbours' rail gauge. Cranes have had to be installed to transfer cargoes and an elaborate bogie-changing operation has been set up on the Turkmenistan and Azerbaijan borders.

Iran says the problem is solved and up to 200 bogies can be changed every 24 hours. Sayyid Ali Estiri, the director of Bandar Abbas port, says foreign transit trade through the Shahid Rajai container terminal has grown from 200,000 tonnes in 1994 to 1.5 million tonnes this year.

From Central Asia come primary goods such as cotton and oil, while from Dubai and Iran's duty-free islands come consumer goods such as cars and fridges, always in short supply in this country of 65 million people. "We believe trade is like a river," said Mr Estiri. "It finds the shortest route, and in this case it flows through Iran to the sea."

Despite Iran's massive, if sometimes troubled, trade with Germany and the West's optimism that Muhammad Khatami, the President-elect, will usher in a new era of better relations, Iran is looking east. Starved of foreign investment, it is concentrating its resources in building an infrastructure that will make its railways indispensable to its Central Asian neighbours.

## Car giveaway exposes lie of Indian boom

Without a wealthy middle class, warehouses are having to be cleared, Christopher Thomas reports from Dehra Dun



INDIAN industry, beguiled by the illusion of a booming middle class with cash to spare, has embarked on one of the most generous giveaways in industrial history. Hundreds of millions of pounds of goods are being sold for a song, and sometimes not even for that.

Rarely have so many corporations been so taken in by political hyperbole. The Indian economic miracle predicted when reforms began six years ago has not even begun to materialise, for all the ostentatious new wealth held by right circles of a well-connected, English-speaking minority.

The rich are now fabulously rich: a private helicopter dropping in on a mountain estate in the Himalayan foothills beyond Dehra Dun at the weekend carried an industrialist popping in for a day to check construction work and walk across his lawns, the underground sprinkler system laid by a Japanese firm.

A few miles away, the other India festers in familiar poverty, untouched by the changes that have further enriched the elite. The rich-poor divide carries echoes of neighbouring Pakistan, one of the last feudal cultures, where the middle class barely exists. Most Pakistanis are very rich or very poor, a trend increasingly evident in India.

India's middle class is small and hard-up: the nonsensical but oft-repeated assertion that there are 250 million middle-class Indians brought foreign investors scurrying to sell washing machines, cars, televisions, sound systems and air conditioners. The deluge was furious and futile.

Warehouses are full of goods that not enough people can afford. Huge numbers of cars wait for nonexistent buyers. The stampede of foreign company executives that was expected to reach Delhi and Bombay never came. This has contributed to a substantial

fall in the rents of better houses and flats. Rents in Bombay are down as much as 40 per cent.

Companies are offloading their stocks with abandon. The Daewoo Motor Company is handing out 200 new cars to be test-driven, free of charge, for 18 months. Television manufacturers pay well over the market price for old sets exchanged for a new one. People buying a washing machine or refrigerator from Whirlpool Corporation were offered the chance to win a flat or car until rival companies went to court to stop it.

In India a family income of about 15,000 rupees a month (£250) generally defines people as middle class. Such families do not normally own cars, air conditioners or washing machines and do not go away for holidays except to visit family members.

The average annual income of an Indian family is 30,000 rupees, about half of which goes on food and clothes. Foreign corporations rushed into this meagre marketplace with cars costing more than £10,000, almost double the cost of an Indian-made Ambassador or Maruti, which still dominate the market.

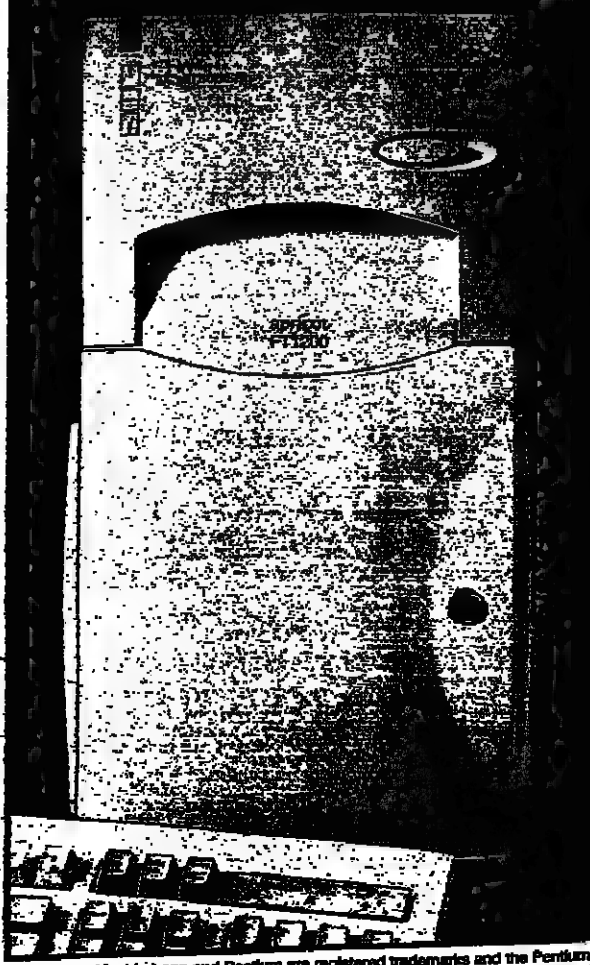
Fewer than three million fridges are sold in India every year, a tiny number in a country of 950 million. Most are small and Indian-made, which are cheaper, if poorer quality, than foreign ones. Industrialists now estimate that only 35 million Indians live in homes that can afford a fridge.

Kocheril Raman Narayanan, India's President-elect, whose rags-to-riches story is an inspiration to the poor, low-caste majority, is a lone voice in advising more cautious economic expectations of India. He said this week that the country could achieve economic progress, "but at the moment I can say it is only a mission".

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# Dead bird clue links Mafia with Versace killing

FROM TOM RHODES IN WASHINGTON

A WEEK after the murder of Gianni Versace, Florida police are finally investigating whether the Italian designer's murder may be linked to the Mafia.

Although Andrew Cunanan, a gay gigolo and alleged spree killer, remains the prime suspect, the Florida Department of Law Enforcement yesterday widened its investigation to consider the possibility that gangland bosses had ordered the murder.

A special police task force was last night interviewing Frank Monte, a private investigator hired last year by Versace who claims the fashion guru was murdered by a professional killer.

Versace was shot on the steps of his ornate Italianate palazzo in Miami's South Beach last week.

The two shots to the back of the head bore all the hallmarks of a Mafia execution, as did the dead bird federal agents discovered next to his body.

Songbirds are traditionally used as a signature in contract killings to represent the death of those who have talked too much. At the time, it was reported that his killer had shouted to Versace in Italian.

"If you shoot a guy in the back of the head and you leave

a dead bird on the ground, you are trying to leave a message," Mr Monte said yesterday. "As far as I am concerned, this was a professional hit ordered by organised criminals. If I could contact Cunanan I would tell him to ring me because I think he is innocent."

Mr Monte, a private security consultant in New York, was recruited to investigate the murder of a former boyfriend of an alleged lover of Versace. At the time, Mr Monte said, Versace had confided his fears about the hand of organised crime at work inside the fashion empire.

"We had this conversation in which he said he was anxious about problems inside the business. He was worried about coming clean,"



Cunanan: innocent, says security consultant

said Mr Monte, who says he is convinced Versace was killed because he had threatened to blow the whistle on alleged laundering of drug profits through his boutiques.

Police had called Mr Monte last week after discovering some of his brochures inside the Versace mansion. Seemingly certain that Cunanan had committed the crime, however, they had failed to follow up the lead.

The Versace business was caught up in Italy's *Mani Pulite* — Clean Hands — crackdown on corruption in the early 1990s and Santo Versace, Gianni's brother and business partner, was convicted in May of bribing tax inspectors.

An FBI agent has been sent to Sao Paulo to interview a Brazilian woman who claims she has photographs and video footage that prove Cunanan attended a party at the Versace mansion in South Beach two nights before the murder.

But Mr Monte remains unconvinced. "Cunanan was around in Miami for maybe two months. I think it is pure coincidence and the evidence does not stack up," he said. "My real concern is that someone will get to Cunanan before he can talk."

## Elusive suspect spreads fear like a virus

FROM TUNKU VARADARAJAN IN NEW YORK

NEW YORK'S police are on "red alert" as fears grow among the city's homosexuals that Andrew Cunanan, wanted for the murder of Gianni Versace, may be heading for a hiding place in the city.

Howard Safir, the police commissioner, has sought to douse the panic by doubling the presence of uniformed officers in the gay quarters of Chelsea and Greenwich Village.

Rudolph Giuliani, the Mayor, has already expressed New York's "commitment" to Cunanan's capture by adding \$10,000 (£5,800) to the federal bounty on his head.

New York has been high on the FBI's list of potential hideouts for Cunanan, ever since an entry was discovered by investigators in his diary as they searched his San Diego home in early May, days after the murder of David Madison, his second victim. Cunanan wrote: "If I need to get lost, it's going to be in New York."

The words, widely published here, have chilled the city's thriving homosexual scene.

Some say that Cunanan has been "the worst thing to happen to America's gays since Aids started".



President Clinton appears on television in the background of a scene with Jodie Foster in the new film *Contact*

## Clinton alienated by cameo role

FROM GILES WHITTELL IN LOS ANGELES

PRESIDENT Clinton has appeared in America's latest science fiction blockbuster in a bit part that his lawyer says was unauthorised, manipulative and a violation of White House policy.

Extensive footage of the President commenting on last year's discovery of what looked like microscopic life

forms in a Martian rock appears in *Contact*, a film in which an alien civilisation beams plans for an intergalactic spaceship to Earth. By inserting the footage into his film, which stars Jodie Foster, the director Robert Zemeckis has made Mr Clinton appear to endorse the idea of extraterrestrial intelligence and has earned a trade from presidential counsel Charles Ruff.

Warner Brothers points out that no law was broken and no ultimatum given by Mr Ruff. The White House was shown:

ages of the President's public statements, taken them out of the context in which they were uttered and adapted them to fit the plot of your film," he told Warner Brothers.

Mr Zemeckis used similar tricks with images of Presidents Kennedy and Nixon in *Forrest Gump*.

Mr Zemeckis used similar tricks with images of Presidents Kennedy and Nixon in *Forrest Gump*.

the film's script in advance and sent a preview copy of the finished product, a spokesman said. "We have been completely frank and upfront with the White House on this issue."

Mike McCurry, the chief press spokesman for Mr Clinton, admitted that the White House move was meant as a warning shot to studios to steer clear of unauthorised use of the President's image.

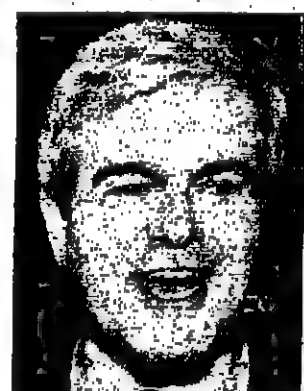
## Republican plotters erode Gingrich's hold on power

FROM BROWEN MADDOX IN WASHINGTON

NEWT GINGRICH'S hold on power remained precarious yesterday with the bitterly fractured Republican majority in Congress threatening to give him only a brief opportunity to make changes before another attempt is made to oust him.

Yesterday Bill Paxon, sacked last week from a senior party post when he was implicated in a failed bid to de-throne Mr Gingrich, continued to deny that he was actively seeking the Speaker's post. But Joe Scarborough, of Florida, together with other "renegades" accused of plotting against Mr Gingrich, are loudly championing Mr Paxon's cause, calling him "a winner".

So far Mr Gingrich has survived the turmoil and intrigue now gripping House Republicans: his supporters say the rebels "shot at the king



Gingrich: has so far survived the turmoil

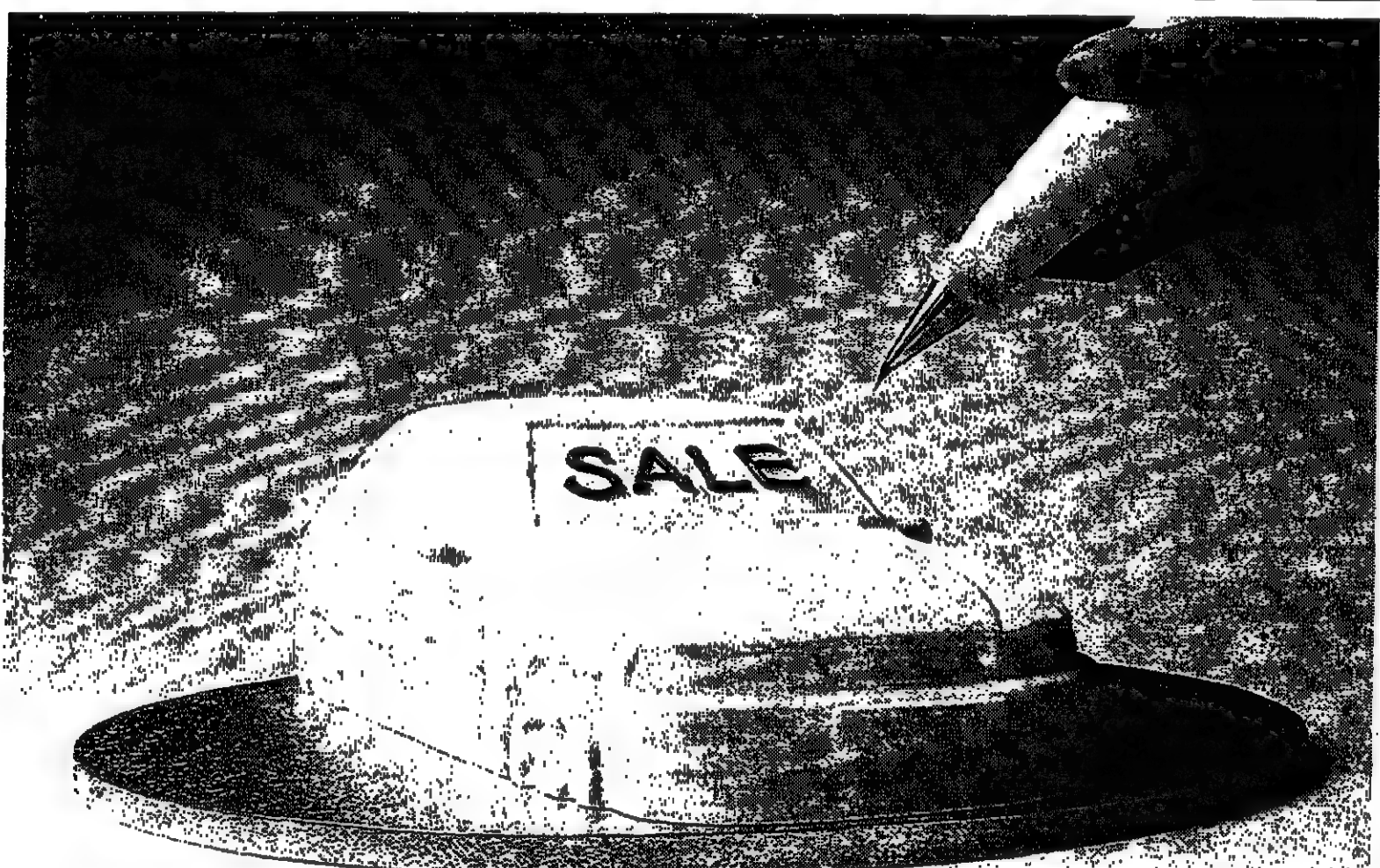
and missed". But many House Republicans agree with David McIntosh, of Indiana, that "Newt may be stronger in the short term but nothing has happened to remove the underlying problems."

Mr Gingrich's faults were evident even after the 1994 mid-term elections, which swept the cavalry of his "Re-

publican revolution" into Congress. He is exuberantly undisciplined and fond of making policy on the hoof.

His worst mistake was shutting down the Government in early 1995, giving Republicans the image of heartless extremists. His attempt to use party funds to pay a \$300,000 (£180,000) ethics fine lost him more friends. He lost public support last month by holding up a flood aid bill and risks doing it again in threatening to stall the popular tobacco settlement. Many House Republicans now fear that he will jeopardise their chances in next year's mid-term elections.

In contrast, Mr Paxon is a calm, mature antidote. Mr Gingrich hopes that by forcing Mr Paxon to resign as chairman of the leadership meetings, he has quashed the rebellion. But like many revolutionary leaders, he may find that he has created a martyr and strengthened a rival.



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# Tourists caught in Canada's fishing dispute

FROM GILES WHITTELL IN LOS ANGELES

Defying a court order, angry Canadian fishermen yesterday maintained their blockade of an Alaska ferry as tensions rose between the US and Canada over salmon fishing.

About 150 Canadian fishing boats surrounded the ferry *Malaspina* for the third day in the harbour at Prince Rupert, British Columbia, 1,000 miles north of Vancouver. About 142 passengers were on the ferry.

"The ferry is still under blockade. We're hopeful it will be able to go soon, but we just don't know," said an official with the ferry line.

The Canadians are furious over alleged over-fishing by American boats.

"If we tried to get out of here we'd kill somebody," the ship's captain, Karl Schoeppe, told the *Anchorage Daily News*. "We're caught in the cross-fire. Nobody's happy."

The blockade of the *Malaspina* has prompted a flurry of diplomatic activity in Ottawa and Washington, where Madeleine Albright, the US Secretary of State, has so far rejected demands that American boats stop fishing for salmon heading for Canadian spawning grounds.

Four Canadian trawlers failed to stop the *Malaspina* docking in Prince Rupert on Saturday, but word of a blockade spread so rapidly through British Columbia's salmon fleet that by the time the ferry had taken on its new north-bound passengers and cars, 150 fishing boats had encircled it. Dozens more steamed north to Prince Rupert over the weekend, some from as far south as Vancouver.

The action came after an admission last Friday by Nicholas Burns, the US State Department spokesman, that Alaskan vessels had landed more than three times their quota of 120,000 sockeye salmon so far this season.

The fish are taken from international waters off the rugged British Columbian coast, but spawn in the upper reaches of Canadian rivers, where local fishermen and conservationists say stocks have been depleted as fewer and fewer salmon get through

the nets to make their annual upstream swim to breed.

Tony Knowles, Alaska's Governor, has taken tough unilateral action against his Canadian neighbours, suspending the passenger ferry services that are Prince Rupert's lifeline, and seeking an immediate injunction in a Canadian federal court that would order an end to the blockade.

"We will not tolerate Alaskan citizens or property being used as pawns by a foreign government," he said. In a letter to Ms Albright he added that the blockade was "tantamount to blocking a major interstate highway."

The injunction sought by the Governor was duly issued on Sunday and handed to the captains of Canadian ships in the blockade by officers of the Royal Canadian Mounted Police. However, a spokesman said yesterday they had no immediate plans to enforce it.

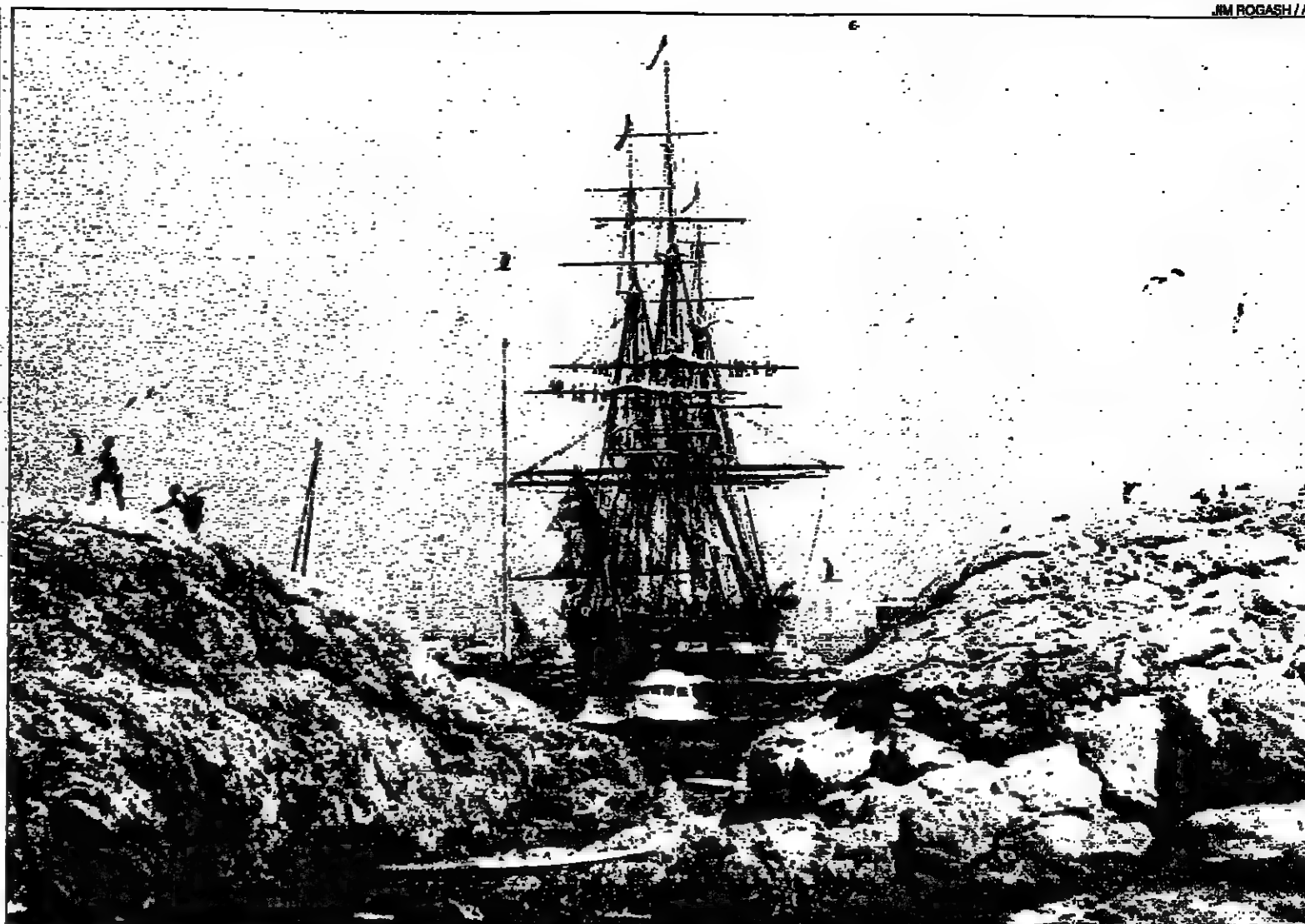
The Canadian fleet is demanding an increased salmon quota for its own members, the resumption of stalled inter-governmental salmon talks, a guarantee that it will not be held liable for damages arising from the blockade.

David Anderson, the Canadian Fisheries Minister, was due to arrive in Prince Rupert last night with the daunting task of restarting the local industry and international traffic in a port where one has successfully hijacked the other.

The *Malaspina's* passengers have been free to leave the ship since the blockade began but few have anywhere to go. Canadian fishermen also blocked an Alaska ferry at Prince Rupert in 1995. Some state leaders have said Alaska should stop sending ferries into Canada and find another, less risky port connected to the highway system.

Prince Rupert is the northernmost port in Western Canada; Ketchikan, at the tip of south-east Alaska, is a short distance to the north.

Ferries are vital transportation links because the region is made up of a vast string of islands and inlets.



The 200-year-old USS Constitution — "Old Ironsides" — is towed into Marblehead Harbour, Massachusetts, before her first voyage under her own sails in 116 years. The ship, which defended America against the British in 1812, was undefeated in 30 engagements

## Tempers flare over flood control 'blunders'

FROM DEBORAH COLCUTT IN FRANKFURT

GERMAN, Polish and Czech authorities started blaming one another last night for a sudden rise in water levels, threatening a resurgence of the flooding that has already claimed nearly 100 lives and caused financial ruin for thousands of farmers.

Tempers are fraying on

both sides of the Oder and Neisse rivers, which divide the state of Brandenburg from its eastern neighbours, with meteorologists warning there is no immediate end in sight to the wet weather.

Germany criticised Poland for failing to notify rescue workers in Frankfurt an der Oder, Brandenburg's largest border town, of a decision to empty rainwater reservoirs

into the river, causing a surge in levels. Poland accused the Czech Republic of the same recklessness when volunteers opened a flood gate in the Neisse, swelling banks further along the river.

Meanwhile, more than 20,000 German residents living in the Oderbruch, a low-lying area where the two rivers meet, are standing by to be evacuated if the defences

are breached. Water had reached record levels but receded to about 20ft last night. Emergency workers fought to repair leaks in river defences and Matthias Platzeck, the Brandenburg environment minister, said evacuations might still be necessary.

Water levels are not expected to drop for at least two weeks and the consequences of the flooding, which has also

hit Austria, will be felt for a long time. Hundreds of farmers in the north German state of Mecklenburg-West Pomerania responded to an appeal to help Polish and Czech colleagues who have lost everything. A fund has been set up for farmers to donate money and many have volunteered to help with the autumn seed-sowing, offering to replace machinery and tools.

## Destitute veterans threaten Mugabe with war

FROM MICHAEL HARTNACK IN HARARE

CHANTING "Hondo, hondo" (war, war), 500 guerrilla veterans of the war to overthrow white rule in Rhodesia yesterday besieged the office of President Mugabe of Zimbabwe, demanding resumption of disability benefits.

Payments from a £24 million fund were frozen in March when newspaper reported that prominent individuals, some of whom never fired a shot in the war, had obtained payments of up to £50,000 with bogus 95 per cent war injury claims.

Mr Mugabe was not at his office yesterday and ministers kept well away to avoid a repetition of Sunday's humiliating scenes when three of them had to flee from an angry confrontation here.

"Do not give us any reason to form Banyamulenge," shouted one destitute former guerrilla, referring to the rebels who overthrew Robert Mugabe's ZANU-RF. "You politicians are thieves, you stole our money after all we did for you," a veterans' spokesman, "Bigboy" Ndlovu, told Dumiso Dabengwa, the Home Affairs Minister, at a stormy meeting in Bulawayo.

Mr Mugabe last night announced the appointment of an 11-member commission of inquiry to examine the abuse of the payments system and make recommendations.

Each guerrilla is demanding an unconditional £25,000 lump sum. The Government is promising £50-month pensions.

### WORLD SUMMARY

#### Moscow fire kills Briton

Moscow: Alex McIntosh, 47, a British businessman, was found dead yesterday in a blazing Moscow flat (Robin Lodge writes). Russian police suspect he was a victim of an arson attack.

The British Embassy said he worked for the British construction firm Oscar Faber and had lived here since October. While members of the Russian business community have been targets of gangs, there have been few attacks against foreigners.

#### Airport theft suspect shot

Geneva: A 19-year-old asylum seeker from Serbia's Kosovo province was fatally wounded by a policeman at Geneva airport after a briefcase with thousands of dollars was snatched from a passenger. A police spokesman said the officer shot the man when he appeared to point a black object after he and two companions were seen with the case. The injured man died in hospital and the other two ran away with the money. (Reuters)

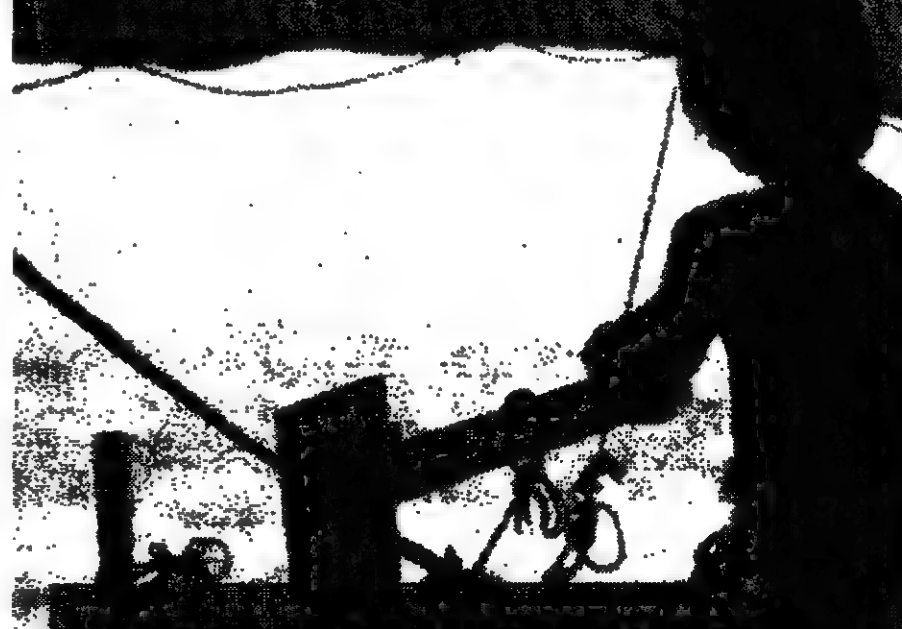
#### Army halts exam cheats

Phnom Penh: Cambodian troops armed with assault rifles cordoned off secondary schools in the capital to prevent cheating at exams. The tight security, aimed at preventing people throwing answers, wrapped around classrooms, disrupted pedestrian and vehicular traffic. Cheating at exams is a big problem in the country. (AFP)

#### Fiesta spree for refugees

Miami: Six Cuban refugees were plucked from a raft in the Florida Straits by a luxury cruise ship and given money, gifts and medicine by partying Cuban Americans, the US Coast Guard said. (Reuters)

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# Jospin imposes euro tax on big business

FROM BEN MACINTYRE IN PARIS

FRANCE'S Socialist-led Government yesterday slapped a "euro-tax" on big business and announced defence cuts aimed at reducing the public deficit sufficiently to join the single European currency.

A public audit commissioned by the Government showed that the deficit for 1997, the crucial qualifying year for economic and monetary union (EMU), was likely to be between 3.5 and 3.7 per cent of gross domestic product, well above the 3 per cent limit demanded under the Maastricht treaty.

Dominique Strauss-Kahn, the Finance Minister, said that France would still qualify for EMU by shaving Fr32 billion (£3.2 billion) off the deficit, with Fr22 billion in additional taxes on corporate profits and Fr10 billion in spending cuts.

The measures announced yesterday "concern 0.4 per cent of GDP" and would allow France to join EMU "in the same condition as its partners", M Strauss-Kahn said.

While the new budget plans concede an eventual overshoot of the 3 per cent target this year, the Government is hoping that a 1997 deficit of around 3.2 per cent will still be enough to ensure admission to EMU in the first round, given Germany's problems with the

strict 3 per cent target. "Less would have been sufficient, more would have hindered economic growth," M Strauss-Kahn said. France would achieve the 3 per cent figure by the end of 1998, he added. Germany reacted positively. Theo Waigel, the Finance Minister, said that France was doing its best to meet the Maastricht criteria. The French stock market was less enthusiastic, however, dropping more than one percentage point immediately. The

**The measures will enable France to join the single currency in the same condition as its European partners**

Socialists made an election campaign pledge not to impose a fresh bout of austerity in the drive to EMU. At the last minute, Lionel Jospin, the Prime Minister, retreated from plans to increase taxes on the wealthy. A move to reverse a 0 per cent income-tax cut for high-earners brought in by the last administration was abandoned as "too complicated".

Instead, the principal burden will fall on big business. Outlining a 15 per cent surcharge in company tax (falling

to 10 per cent after 1998) and a sharp rise in long-term corporate capital-gains tax. M Strauss-Kahn argued that corporate profits were at record levels, thanks partly to a range of tax breaks and subsidies. The rise takes the tax rate on corporate profits to 41.6 per cent.

Small, medium-sized and loss-making companies are excluded from the new levy, which will affect only the richest 20 per cent of French corporations with annual

structural reforms but emphasised that they were concrete moves rather than "creative accounting". He added that he had received assurances from M Strauss-Kahn that France would meet the EMU deficit target next year.

The measures will be debated in the Paris parliament in September, but the centre-right opposition lost no time in attacking the plan, insisting that by taxing profits instead of imposing spending cuts the Socialists were ignoring economic realities. "You can't be part of the euro game by swimming against the European tide," Alain Madelin, leader of the Liberal Democratic Party, said. He argued: "Throughout the world, liberal policies promote growth and employment by cuts in state spending, lower taxes and privatisations."

There were also voices of dissent from within Socialist ranks. Julien Dray, leader of the Socialist Left group, said: "Making companies pay up is dangerous ... tomorrow, when we try to attack the objective of boosting consumption by raising salaries, businesses will turn round and say they are not milk cows."

Herr Waigel said the measures should be followed by

Analysis, page 29



The eyes have it: New Korea Party delegates doze as President Kim Young Sam speaks in Seoul yesterday. Lee Hoi Chang was elected presidential candidate

## Eta trio jailed for plot to kill King

FROM GILES TREMELT IN MADRID

THREE members of Eta, the Basque separatist group, were jailed yesterday for attempting to kill King Juan Carlos of Spain. Juan José Rego, his son Inaki Rego, and Jorge Garcia were found guilty of plotting to kill the King with a marksman's rifle while he was holidaying in Majorca in August 1995.

As the verdict was announced, two grenades exploded near a police station in the northern city of Oviedo, injuring one person, in what authorities believe was the first attack by Basque separatist guerrillas since they killed Miguel Angel Blanco, a town councillor, a week ago.

The three men were found guilty of terrorism and crimes against the Crown and were all sentenced to 109 years in prison. The judge said that they had the King in their sights on three different occasions but did not fire because they did not have their escape route prepared.

Eta's leaders had ordered the three men to shoot King Juan Carlos first and then to attempt to murder the heir to the throne, Crown Prince Felipe, the court was told.

The judgment raised questions about the security arrangements surrounding the King. Police had tracked the Eta team from France and knew they were planning to kill the monarch.

They had originally denied the gang's claim that they could have killed him on three separate occasions. Police finally arrested them just three days before they were due to carry out the attack after a French police tip-off.

Cell hanging: Juan Carlos Hernandez, 35, an Eta convict, was found hanged in his jail cell in Albasete, central Spain, in an apparent suicide, the Interior Ministry said last night. (Reuters)

## French astronaut quits Mir repair mission

FROM ROBIN LODGE IN MOSCOW

RUSSIAN space officials confirmed yesterday that repairs to the damaged Mir space station would be delayed until the arrival of a replacement Russian crew next month, and that a planned mission by a French astronaut would be postponed.

Leopold Eyharts was due to have blasted off with two Russians, Anatoli Solovoyov and Pavel Vinogradov, from Baikonur in Kazakhstan on

August 5 for a three-week mission on board Mir. But officials from the French space agency earlier expressed concern that a shortage of power as a result of the collision on June 25 between Mir and an unmanned cargo craft, would mean that M Eyharts would be unable to carry out his experiments.

Repairs were delayed last week after Vassili Tsibitiev, Mir's flight commander, developed health problems. Russian and Nasa officials considered that his place on

the repair mission might be taken by Michael Foale, the British-born Nasa scientist. Yesterday, the Russians decided to delay the work until the arrival of the new crew.

"This crew has already been under a lot of pressure in extreme situations," said Igor Goncharov, deputy flight controller at Mission Control in Korolyov, outside Moscow. "So the decision was taken that the spacewalk will be carried out by the next crew." Officials added that leaving M Eyharts behind would

enable the new crew to carry more equipment with them for carrying out the repairs. They will make two spacewalks to assess and repair the damage.

Officials had already planned one mission — a so-called "internal spacewalk" into the ruptured Spektr module — to re-attach power cables. The second will try to pinpoint a hole in Spektr's wall. The crew will "walk around, stamp their feet, and see where exactly we have got the depressurisation," Vladimir Solovoyov, Mission Control chief, said.

Russian officials said the next US Shuttle mission to Mir would go ahead as planned in September. Nasa astronaut Wendy Lawrence, 37, who is in training at Russia's Star City, is due to replace Mr Foale.

Los Angeles: Communications between Mars Pathfinder and Nasa were restored yesterday, enabling scientists to begin receiving data from the Red Planet for the first time in two days. (AP)

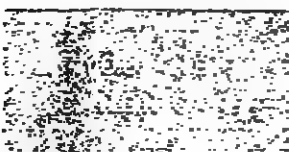


Michael Foale, left, with the two cosmonauts on Mir

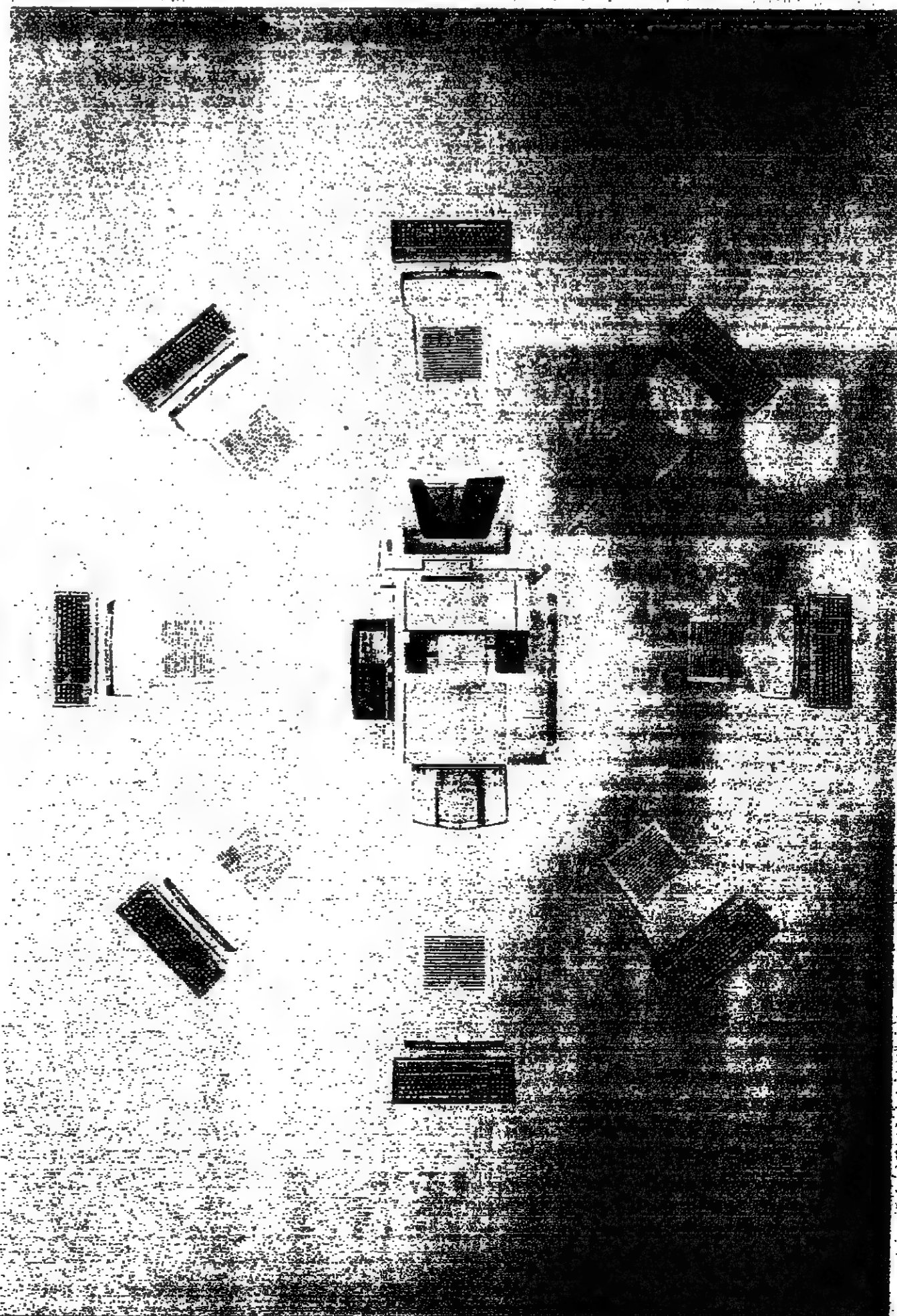
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Turn to page 27













Who's minding the babysitters? There are no regulations for nannies because the relationship between them and their employers is said to be 'private'

## Policing the nanny's status

Jemma Winton will never marry, never have children of her own, never read and never write: she is 22 but trapped in eternal childhood after suffering abuse at the hands of a "trained" nanny in the first weeks of her life.

Shaken violently and probably dropped when she refused to stop crying, the infant was brain-damaged and close to death. Doctors who performed cranial surgery on Jemma found extensive bruising on the back of the skull.

Her mother, Cheryl, 44, and her then husband were interviewed by police at their home in central London when the cause of the child's injuries became clear. Their nanny was questioned, too.

"It was then she admitted that she had shaken Jemma on various occasions while in a temper, not realising that it could cause brain damage," Mrs Winton says. "However, the police advised us not to prosecute the nanny, because they said there was no proof."

Though distracted by the terror that her daughter might die, she called every agency in the telephone book to warn them against hiring the young woman who had almost killed her daughter. Mrs Winton's fear to this day is that Jemma's "attacker" might still be working with children.

In the absence of government legislation to compel the registration of nannies, reg-

It is time the Government acted to ensure that children are not at risk from those who are meant to be caring for them. Bill Frost reports

lation of agencies and the establishment of an effective professional association, these tragedies will continue.

"This week, she helps to launch a campaign aimed at ensuring the "nanny business" is properly policed. The pressure group Playpen, which features in the Yorkshire Television programme 3D on Thursday, will lobby ministers for a change in the law.

The current lack of control puts thousands of children at risk every year," says Mrs Winton. "Nannies have sole care of babies and children and yet they are not subject to any controls at all."



From left: Nina Kaye, Cheryl Winton, Anne Waddington

there was another health problem with Jemma, and I blame myself for not noticing that something was wrong earlier than I did."

Playpen supporters, who include nannies themselves and their employers, know of many cases where children have been abused by those employed to care for them. Babies have been drugged to prevent them from crying or locked in cupboards as punishment.

Anne Waddington, a barrister specialising in cases involving the abuse of children and a founder of the pressure group, says prosecutions are rare. And, she adds, most nannies who are re-

sponsible for maltreatment are neither psychotic nor sadistic.

"These young women are simply given responsibilities beyond their ability. It is hard to say how often these incidents occur, but abuse is by no means infrequent and one case is one too many."

Mrs Waddington, who has a family of her own, admits that "in an ideal world" she would raise her own children. "That's not possible, though — I have a job to do."

"But parents must be confident that their children's welfare is guaranteed when they take on a nanny; at the moment that is not possible."

"Too many agencies are motivated by profit. The usual placement fee is about £1,000. They don't place a high enough priority on protecting the young and vulnerable."

secretary, thinks children, parents and nannies all get a rough deal as the law stands.

"I never cease to be baffled by the fact that it seems to be assumed that almost anyone can be put in charge of young children without any check on their suitability. We have long been campaigning for the establishment of a register."

"It seems amazing that parents who would not entrust their car to an unqualified mechanic would entrust their child to an unqualified nanny."

Cheryl Winton learnt her lesson from bitter experience. "I have thought a lot about what happened to Jemma when she was just six weeks old and how our perfect little baby was no longer perfect."

"Why should any parent go through this anguish when a simple change in the law would prevent, or at least reduce, the odds of any repetition of what happened to us? My whole world has been turned upside down and I can only hope that somebody in government is listening."

3D will be broadcast on ITV at 7.30pm, Thursday July 24

## The pursuit of wealth

The urge to make money is an inbuilt American obsession. Tunku Varadarajan reports

THE HISTORY of America is the history of money. Slavery was all about money, both saving and making it. The Declaration of Independence was also about money — taxes, especially when levied by the Crown of a faraway island, are a damned nuisance.

Many features of modern America, also, have money as a predominant theme: large-scale immigration from Europe and the Third World (the poor wanting to get rich); the Great Depression (everybody getting poor); and the growth of the consumer society. Even the civil rights movement of the 1960s had as its goal a better standard of living for blacks and greater economic opportunity.

In a book just published in New York, *Money: Who has how much and why*, Andrew Hacker, a political-science professor at the city's Queens College, looks at America's obsession with money, taking an academic scalpel to "questions everyone asks".

He poses, and answers, questions such as: have women made real strides towards economic parity? (Answer: depends on what you mean by "strides"); has affirmative action improved the economic status of blacks (not really, because the black middle class is a private-sector creation); does immigration take jobs away from Americans? (on the contrary).

"Part of being American is to feel that you deserve more than you have," writes the professor, suggesting this restless acquisitiveness might be what built and maintains the world's largest economy.

Some of his figures are startling: in 1979, 13,505 individuals or families earned the equivalent of \$1 million a year. By 1994, the latest year for which figures are available, that had jumped to 68,064. The past few decades have witnessed the rise of the "one-million-a-year American", and the rich, the book asserts, "are getting richer".

The key question for the professor, though, is this: are the poor getting richer too? His research, depressingly, shows they are not. While the richest 5 per cent of the American population has seen its average in-

come rise by 54.1 per cent in the past 20 years, the bottom 20 per cent has seen a rise of a mere 1.5 per cent. One in five American children currently lives in a household where the annual income is less than \$15,000 (£10,000).

And for every \$1,000 received by a white household in 1995, a black household made only \$577. Twenty years ago, it made \$605. Blacks are still "under-represented" in a number of key professions.

Although they comprise 10.6 per cent of the total workforce, only 3.6 per cent of all lawyers, 2.5 per cent of all architects, and 1.9 per cent of dentists are black. Intriguingly, there are hardly any black bartenders or waitresses either, with only 2 per cent and 4.5 per cent respectively.

'Part of being American is to feel you deserve more'

Why? Professor Hacker lays the blame fairly on "the system" and racism.

Yet immigrants have had more success. Those from India have an average income of \$44,696 a year, higher than any other ethnic group (Americans of English descent make \$34,117 per annum; Irish Americans \$31,845). Professor Hacker attributes their success — and that of another comparable group of immigrants, the Koreans — to their ability to identify a "niche" in the market. Indians, for example, now run virtually all the motels in the Deep South.

THE book is more than inventive number-crunching. Occasionally, Professor Hacker comes up with fairly crackpot theories. He writes: "The farther a country is from the US, the more likely will its immigrants be to secure higher-paying work. Clearly, it takes more resources, financial or personal, to get here from India ... than, say, Mexico."

This, of course, is the great liberal blind spot: a failure to recognise that some people are simply better at making money than others. For this reason, and this reason alone, there will always be rich people, just as there will always be poor ones. Especially, I'm afraid, in America.

Money: Who has how much and why by Andrew Hacker (Scribner Educational Publishing, New York 7022700)

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"They don't need a first aid certificate, let alone a professional qualification. Child-minders have to be registered with social services by law under the 1989 Children Act. They are professionally vetted, undergo police checks and are subject to continued scrutiny."

"But there are no such regulations for nannies because the relationship between nanny and employer is said to be 'private'. We want to change this — few agencies make thorough checks, so children are put at risk."

"Why does the law say children looked after by nannies are less in need of protection than those cared for by childminders?"

Her own daughter's life has been "blighted" by the girl she

employed after seeing an advertisement in *The Lady* magazine. "How many other parents have suffered in the same way?" she asks.

"Jemma is very happy, but will always be a child and cannot be left alone for more than ten minutes. She is at the time of life now when a young woman starts thinking about marriage and children of her own. That will never happen."

I have no idea what has happened to the nanny who did this but I would like to speak to her and try to understand why she did it.

"I don't feel anger but I do feel pain. Just talking about it now makes me relive the experience, and it hurts very much."

"I went through hell. Every time we went to the doctor,

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(Then ask us)

RAC



Dear Richard, I'm surprised, and not a bit disappointed, that you should be so uncharacteristically credulous as to retail groundless, alarmist rumour about the future of Radio 3 as if it were fact. You and your critics have always seen a reason to write about the arts in a sharp, witty, untechnical and, yes, populist way. Neither of us wants to leave music just to the musicologists (though they have their uses). The classical music audience has changed hugely in the last few years. It's larger but more volatile, sophisticated but less knowledgeable than it used to be. It wants to learn.

This is the audience Radio 3 needs to serve. Not the lightest, most casual listeners to classical music, who are already well served by Radio 2 and Classic FM. Radio 3 will always present a challenge because it plays com-

plete works and some difficult repertoire. It's for those who know about classical music and, very importantly, for those who want to know.

So let's be clear about how nonsensical your rumours are: there was no "meeting of big cheeses", but rather an absolutely open meeting (as there is every year) for all producers to hear about Radio 3's plans for the year ahead, so that they can offer the best possible programmes to us. The plans include a continuing commitment to more than half the network's music output being live or specially recorded, unrivalled coverage of every area of classical music from opera to jazz, early music to new music, as well as

major drama, features and documentaries. This involves Radio 3 in patronage and programme-making which is indeed "the envy of the world".

Our plans include clearer schedules, so that listeners can find their way around the network without confusion: you will be able to expect a lunchtime concert at 1pm every day, orchestral music at 2pm, specialist music at 4pm and so on. And we need a better defined music policy for different times of the day so that strong, popular programmes like *Morn-*

*ing Collection* can co-exist on the network alongside the adventures of *Sounding the Century* at times when the audience is available to listen. The result will be clearer expectations, and a bolder schedule.

Who will choose this music? Here we come a little closer to the source of the disaffection you report. All the music we play will continue to be chosen by expert, intelligent human beings. There are now several sources from which we can obtain that expertise. The BBC's Classical Music depart-

ment — which includes the former Radio 3 music department — has originated award-winning, highly original programmes over the last year, while independent producers have originated some of our freshest programme formats, including the prize-winning *Private Passions*. The network's responsibility is to serve the audience with the best material from all these production areas. So don't be alarmist: every department will certainly need to adapt, but none will have to be "slashed" if it loses Radio 3 excellent programmes

which meet the needs of the serious classical music audience we have identified.

You simply cannot call people "Woganese geese" in print and get away with it. Sean Rafferty, whom you can currently hear standing in for Brian Kay on Sunday mornings, is already a respected presenter on the network and a member of the *In Tune* team whose presentation he will lead (with a no less enthusiastic expert, Humphrey Carpenter, as support) from September. And you fill in space with an absurdly dyspeptic reference to the BBC orchestras: their artistic standing in this country has never been higher, they are central to the live music policy of Radio 3, and they are

valued by a huge public, as their Proms — including three sell-outs in the first week alone — will demonstrate. And you just proved that with your review of the First Night of the Proms.

The silly thing about this argument is that, essentially, we agree. Radio 3 will continue to be, exactly as you put it, "sane, cultured, and horizon-widening". That is a good expression of our desire to take serious classical music to the widest possible audience, not for audience figures alone, but because we believe they would love and value what we have to offer, as does our current audience. The BBC's Governors, to judge from the latest annual report, believe that Radio 3 is "excellent and distinctive", and we will, I hope, do it better, and we will, I hope, you, Richard, will be among those who come along with us rather than sniping from the sidelines.

## Radio 3's big cheese bites back

On Saturday Richard Morrison accused Radio 3 of going downmarket. Here its controller, Nicholas Kenyon, replies

### AROUND THE LONDON GALLERIES

WHENEVER 20th-century presidents of the Royal Academy are being enumerated from memory, Thomas Moonington is the one who tends to get left out. This is not too difficult to understand. When he became PRA in 1966 his style was already so unfashionable that the honour must have been some kind of gesture in the face of the rebels at the gates — or at least a tribute to his organising ability rather than to his art. When he died in 1976 his work unmistakably belonged to the past.

But time brings its revenges. Nowadays his classical precision, his brilliance as an academic draughtsman and the hallucinatory clarity of his best painting seem bang up to date. His achievements, as demonstrated in the touring retrospective which began at the British School in Rome and now ends up, very fittingly, at the Fine Art Society, match so well the aspirations of many painters who were still infants when he died. In his murals and designs for ceilings and floors he toyed with abstraction, but the heart of his work is in the classical and religious scenes of the Twenties and Thirties, and in his sparkling portrait drawings. This style produces a genuine surreal trison. *Tempests Attacking Flying Bombs* (1944), with its desperate combat over the immemorial elms of England, remains his best-known picture, and there is no arguing with that judgment. *Fine Art Society, 148 New Bond Street, W1 (0171-629 3116), Mon-Fri 9.30am-5.30pm, Sat 10am-1pm, until August 1.*

□ THE career of Natalia Gontcharova followed a similar trajectory to that of many Russian contemporaries who grew up with Symbolism, discovered Russian peasant art at an impressionable age, and moved from there towards abstraction. For many inside and outside the arts it was the advent of Diaghilev's Ballets Russes in the West which crystallised these changes. Gontcharova, who came West at the

same time as Diaghilev, both was affected by his revolution in taste and helped to bring it about. The show *Natalia Gontcharova and the Russian Ballet* at Julian Barran focuses on precisely this period. There are designs connected with her first and most famous production for Diaghilev, *Le Coq d'Or*, and work for one of Diaghilev's most intriguing unfulfilled projects, *Liturgie*. In strong contrast, there is a remarkable range of her designs for another unproduced ballet of the war years, *España*. Equally striking, in another way, are her portrait drawings of such musical luminaries of the Diaghilev circle as Stravinsky, Prokofiev, Lord Berners, Satie and de Falla. *Julian Barran, 42 Old Bond Street, W1 (0171-495 0499), Mon-Fri 9am-5pm, until Aug 6.*

□ ALTHOUGH she belongs to an older generation, the shape of Yang Yanning's life in art has surprising similarities to that of Marlborough's new artist Chen Yifei. Surprising because they seem to be at opposite poles of 20th-century Chinese art. His formation is entirely in terms of Western art, while hers is completely within the native Chinese tradition. Both of them achieved great success in China, but both seized the first opportunity to move to New York in the Eighties. And both, in very different ways, are definitely modern artists, at once Chinese and international. Yang Yanning's works retain strong links with the traditions of Chinese brush-drawing. Her paintings in coloured inks on rice paper are close to abstraction, but remain perceptibly anchored in the reality of plants and flowers. The magic is inescapable. *Michael Goedhuis, 116 Mount Street, W1 (0171-629 2228), Mon-Fri 9.30am-6pm, until Aug 1.*

JOHN RUSSELL TAYLOR



*Violencia*, painted by Ed Paschke in 1980, is one of many works in the Whitney Museum's revelatory survey of American art that appear to follow Moses Soyer's celebrated advice: "Paint America, but with your eyes open. Do not glorify Main Street. Paint it as it is — mean, dirty, avaricious."

## The American cream — sweet and sour

GALLERIES: In New York Richard Cork enjoys the new Whitney show

Britain has given lavish attention to American art made since the Second World War, but we see disgracefully little American work produced before then. Edward Hopper's melancholy paintings of cinemas, garages and diners may be familiar from posters and greetings cards, but his original pictures cannot be found in our public collections. Nor do we own a single Georgia O'Keeffe. Visitors to the Tate might be forgiven for concluding that, before Jackson Pollock appeared in about 1950, American art did not exist.

The Whitney Museum opened in New York 66 years ago to combat any such notion. Gertrude Vanderbilt Whitney, an artist herself, set about proving that, alongside bold architecture, her country had "also evolved a national art of painting and sculpture". Since then the Whitney has acquired a large, distinguished collection. And in recent years it has invited three European museum directors and their colleagues to select exhibitions drawn from the Whitney's treasures.

The last in the series, chosen by Nicholas Serota and Sandy Nairne of the Tate, has just opened. It starts with an isolated, spectacular loan from Millbank: Roy Lichtenstein's titanic *Whaam!*, a flamboyant masterpiece of Pop Art. Nimble purchased by the Tate soon after it was painted in 1963, this barnstorming double canvas sums up the explosiveness of American art's impact on Europe at the time.

But the show quickly departs from the kind of American work represented at the Tate. Nairne and Serota go out of their way to pluck a host of more obscure artists as well. They call the show *American Realities*, and Serota declares that it aims at "reviving a broader view of Modernism which does not regard an interest in the figure as being, by definition, anti-Modern". Human images certainly dominate the first section. Arshile Gorky's tender painting of *The Artist and His*

*Mother* reminds us that many Abstract Expressionists started their careers in a figurative vein. Alice Neel's portrait of Andy Warhol, bearing the stitches criss-crossing his pale torso after the near-fatal shooting by Valerie Solanas, presents her subject in an unusually fragile light.

Unexpected links abound. Nan Goldin's recent colour photograph of Siobhan, staring at us so challengingly from her shower, looks surprisingly at home near Larry Rivers's delicate 1953 painting of a far older, more weary woman. Serota and Nairne enjoy mirroring works in different media, finding an uncanny resemblance between Franz Kline's muscular brushstrokes in *Mahoning* and the equally angular cluster of chain-bound wood in Mark di Suvero's *Hankchampion*.

Both these works are included in a section devoted to Metaphysical Landscapes, where Pollock and O'Keeffe are also found. But it is gratifying to find that pride of place here is given to an ecstatic celebration of *The Seasons* by Pollock's wife Lee Krasner, whose work was so often eclipsed by her husband's notoriety.

Other American artists offer more down-to-earth interpretations of the modern world. George Luks's boisterous *Armistice Night* evokes the raucous triumphalism of street celebrations in November 1918. His unbridled brushwork is far removed from Paul Cadmus's *Sailors and Floosies*, painted a year before the outbreak of another world war. A crumpled newspaper photograph of a Fascist dictator lies on the ground, next to three tipsy couples groping each other in sunset parkland. But the true focus is the golden-curling sailor in the foreground, painted with homoerotic passion.

Shirley Davis paints the interwar urban scene with a feeling for the hard-edged clarity of windows, boardings and fire-escape ladders. His Jazz-Age optimism contrasts with the gloomier vision of artists who shared Moses Soyer's desire to "paint America, but with your eyes open. Do not glorify Main Street. Paint it as it is — mean, dirty, avaricious." Such a gritty ambition spans the decades from a gruesome 1947 burial scene by the almost forgotten Stephen Greene to the more streamlined, televisual horror of Ed Paschke's stylish *Violencia* in 1980.

As it stresses the relationship between glamour and death, the show uncovers links binding artists as dissimilar as Jack Levine and the tragically short-lived Jean-Michel Basquiat. The figure occupying the coffin in Levine's candlelit

*Gangster Funeral* is probably punctured with bullets, whereas the haunted faces scrawled on Basquiat's wall are more likely to be threatened by drug abuse. But among the graffiti the word "gangsterism" is inscribed in bold capitals. Thirty years after Levine painted his sinister picture, Basquiat was still emphasising an abiding evil of American life.

Artists so impressive as those seen here deserve to be better known. It is a pity that *American Realities* will not be coming to the Tate. We need to learn more about the work in the Whitney, and realise how many eye-opening correspondences exist between American artists and their British contemporaries. This engaging show left me determined to discover more, and eager to see how an American museum director would organise an exhibition of British *Realities* during the same period.

*American Realities* is at the Whitney Museum, 945 Madison Ave, New York, until Oct 5.

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# Too soon for Anglo-Saxon triumphalism

Irwin Stelzer warns against pride before a cyclical fall

America's economy is the strongest in the world," gloated President Clinton to his guests at the G7 summit in Denver. He is, of course, quite correct. America has had only one minor recession in the past 15 years. Everyone who wants a job has one, and more and more people are giving up stay-at-home status in favour of participating in the work force. Inflation is somewhere between very low and nil, consumer confidence is at a 28-year high and corporate profits continue to rise, driving stock prices to levels 20 per cent above those prevailing when Alan Greenspan, Federal Reserve Board chairman, expressed the fear in December that "irrational exuberance" had pushed share prices to nervous-making levels.

Britain, too, is on a roll, with an economy that is the envy of the rest of Europe. Little wonder that the Prime Minister and the President are joined in proclaiming the triumph of the "Anglo-Saxon model" over France's more centrally directed one (unemployment 12.5 per cent and rising), and Germany's less competitively oriented one (unemployment 11.4 per cent and rising). And little wonder, too, that new Labour feels sufficiently confident that its policies will not wreck the Tory-built prosperity to preach to the choir of old Europe that it had better become one of us, because it clearly would be folly for the Anglo-Saxons to become one of you.

In a way, Mr Clinton's patriotic bragging represents a major retreat. When he took office, the talk was of the virtues of the European model, with its apprenticeship programmes and generous welfare. To the President's chagrin, it soon became apparent that German efficiency is not what it was; that its sickness benefits are so generous that it has become foolish to work on a Monday or a Friday; that firing in Europe is so difficult that hiring becomes a last resort; and that the high taxes needed to fund the French and German welfare states are stifling initiative and investment.

Equally important, it became apparent that the Anglo-Saxon flexible labour market model is more likely to produce the social cohesion that Europeans once claimed as the virtue of their welfare states. Unlike French farmers, America's are not driving pigs through the streets of their capital; Britain's lorry drivers don't decide periodically to shut down the country's transport system.

The danger for the Anglo-Saxons is that appropriate self-satisfaction and merely annoying bragging may give way to hubris. There are young traders in the City and on Wall Street who are unfamiliar with the word "down". Worse still, they have investors who are similarly ignorant. There are politicians on both the Left and the Right in America who are so certain that inflation has been forever

interred that they are pressing the Federal Reserve chairman to loosen monetary policy to stimulate still faster growth. And there are financial analysts and reporters who are suggesting that the business cycle is a thing of the past, that globalisation and other forces have created a new, recession-free paradigm.

Would that it were so. But it isn't. True, times have changed. Because manufacturers in America can now draw on the excess labour of the developing world, and on immigrants, they can resist wage pressures even in the face of full employment at home. Because consumers can rely on imports of everything from trainers to cars, they can resist efforts by domestic manufacturers to raise prices. And because technology is improving labour productivity — Luddite labour unions can no longer stand in the way of innovative equipment and work practices — higher wages need not mean higher prices for consumers, or lower profits for employers.

All of this means that both Britain and America can now grow more rapidly, without triggering inflation, than they did in the past. But it is still possible for there to be a cyclical downturn in either country. And it remains true that pride goes before the fall. For if the Anglo-Saxons forget that no tree grows to the sky, they are likely to fall victim to the arrogance that produces both financial and policy errors.

On the financial side, this arrogance takes the form of persuading oneself that risky investments aren't. Consider this: Slovenia's bonds now bear an interest rate only one-half of a percentage point higher than those of the US Treasury. And banks are beginning to relax lending standards as they did in the good old days of the oil and property boom-busts.

On the political side, hubris takes the form of forgetting that Harold Macmillan was right when he warned that a government's biggest problem is "events, dear boy, events". The American government is in the process of selling off part of its strategic reserve of crude oil, as if the Middle East had become a stable place. And new environmental regulations are about to impose billions of dollars of costs on American industry (and on Britain's, if new Labour's greens have their way), as if competition from China and other exporters no longer must be reckoned with.

If these and similar policies do combine to slow or reverse the growth of the Anglo-Saxon economies, don't expect any sympathy from the Europeans; they aren't about to forget our hubris during their time of troubles. But then, they are unlikely to be sympathetic to us in any event.

The author is a resident scholar at the American Enterprise Institute.



"JUST GIVE ME THE NOD & I'LL PUT YOU OUT OF YOUR MISERY...."

## University challenges

Dearing's proposals will make life tougher for students — but some of the side-effects might be bracing

Sailing holidays play odd tricks with your brain. When you have been rolling gently on a Hebridean anchorage, drinking single malt and idly scanning days-old newspapers before the wet mists turn them into paper-mâché, the froth and eddy of journalistic speculation enters your dreams and takes on a surreal, luminous glow.

One night near the end of this dim, idyllic break I sat under a full moon in Oban Bay, half watching a busker juggling burning torches on the prom, and read the alleged news that Radio 4 is to sweep away such dross as myself to win a younger audience.

Too dozy to care much, I turned the wet page to read about the burden which university tuition fees will put upon new graduates as they struggle to pay back loans. Then sleep fell and I dreamt that I had unveiled a conspiracy. The Radio 4 Controller, James Boyle, was holding secret meetings with Sir Ron Dearing in an Edinburgh pub. Between them these cunning devils had cooked up a brilliant idea: charge tuition fees, and you ensure that no bright person under 30 will ever again have any spare money for going out, due to the loan repayments. So they'll have to stay in and listen to Radio 4, thus bringing an educated young audience to the senior radio service, even as they pay back the cost of their education to the taxpayer. Simple. I think Mrs Parker Bowles came into the conspiracy somewhere, too, and T Rex, but cannot quite recall how.

Awake again, back home and listening more soberly as the tyrannous footprints of the Dearing report thump closer, the situation of the 21st-century student becomes ever more interesting to contemplate. Things are going to change in higher education, and it looks as if it will happen fast. It seems clear from carefully organised leaks that, exempting only the very poorest families, the Government will press ahead and make all students pay a good whack in tuition fees: three, maybe four, thousand pounds. Maintenance grants will be phased out also and replaced by loans. The loans will have to be paid back, probably as soon as your salary tops £10,500 a year (at present it happens at £15,000). To pay back debts amounting to a year's salary will take time and pain; the class of 2001 may look with

loathing at us, their parents, who in the early 1970s ambled into a sunny world full of jobs, with an overdraft barely bigger than our hangover. I remember it well: I sold my gown and dictionary to pay the bookshop bill and spent the summer working in a bar before the BBC training salary of £895 a year kicked in. It did not matter that it was peanuts: there was no debt. The taxpayer had set me up nicely and waved me on my way with a blessing. Palmy days.

Of course, there will still be students who start this way. Parents who have paid for private education are likely to pay university tuition, too, and to make their children allowances (in some families there is already a rather disgraceful practice of getting the young to take out the student loan they don't need, so that they can be used as a free loan for a kitchen extension or swimming-pool). There will always be a cushion of affluence to start some young lives bouncing. But most students will have to borrow, to work for sustenance in vacations, and to rely on parents for extra comforts such as holidays, or a room at home, or help with the rent of slightly less sordid digs than most. They will face the prospect of paying the money back very early in their working lives. The bleakness of this is already familiar from the recent years of grant erosion: it can only get bleaker.

I would rather it were not so. I have an uncomfortable sense of doors closing in the face of potential students whose fear of debt outweighs their fragile confidence. I fear for graduates, too, when the good jobs are not there and they seem to have hung a financial albatross around their necks for nothing: for those who are lured into company "scholarships" and find themselves left hand and foot to an uncongenial corporation for a decade; and for

financially wobbly parents, close to retirement, who will contemplate their child's brilliant A-level predictions with uncomfortably mixed feelings.

I fear especially for girls, whose emotional antennae may be more finely tuned to those mixed feelings, and who may pretend not to care about university out of affection and duty. We could see again all sorts of old-fashioned situations. There is a story in our family that my widowed Fifehire grandfather insisted that not only his sons but his daughter go to St Andrew's: my aunt attempted to stay at home and look after him, and he all but drove her out with a stick, so great was his belief in education.

There must have been plenty of other girls whose parents were softer, and readily gave in to the comfort of having them stay at home earning a bit with a typewriter and costing nothing until Mr More-or-Less-Right came along.

But since it looks as if the Dearing deal is on the way, whatever I fear, it is worth looking for redeeming features. One bracing side-effect could be that university applicants start to think of themselves less as lucky winners of a place, and more as customers. If the clock is ticking up a large personal debt, they may feel ready to complain about shoddy teaching, wacky courses, idle lecturers and unread assignments. These do exist: it is expected (and by some of us, devoutly hoped) that Dearing will point the finger at some of the badly run courses and time-wasting mediocrities which deface the system.

Maybe if there is a hesitation or a temporary fall in student applications (nobody seems to expect a permanent drop) sixth-formers, too, will rapidly learn to ask hard questions of the universities, especially if their desired course claims to be vocational. So you want to do media

studies with a view to working in TV? Or leisure management, business, catering? Then ask the course director some straight questions about how many of his graduates actually got jobs in the field last year — and the year before — and whether he has any enthusiastic letters from their employers. You want to do a brand new course, that sounds great on paper? Then ask if they actually have any dedicated premises or equipment, yet, what lecturers have been recruited and with what experience. You may be only 18 and rather shy but you're the customer now, as surely as in the Virgin Megastore: you're paying.

Less dedicated university staffs may shortly find that any extra money that comes their way is more than counterweighted by increasingly demanding students, not to be fobbed off all term because their supposed supervisor is on a freebie in Oman, or busy writing a potboiler on stress management.

Another redeeming feature would be if the new funding arrangement can seem like a fair deal between the individual and the State. The excuse for charging fees, after all, is that graduates usually end up earning 20 per cent more than non-graduates. Some don't, however: they earn modestly and we all benefit from their trained dedication. This must be recognised. Labour must fulfil and vastly expand its pre-election idea of offering a social bargain in which people who do modestly-paid essential jobs are let off repaying their student loan.

The original suggestion covered, say, a decade of state school teaching, or a period of working in the NHS as a doctor. This should be extended to include health workers with specialist skills, some medical researchers, social and care workers, perhaps the police and the armed and emergency services. This would ensure quality competition for such jobs: even better, it would signal firm social approval of these vocations and provide some kind of answer to the embarrassing question bright sixth-formers always ask: "Why do worthwhile jobs pay so much less?"

It's a good test of Mr Blair's Government: will it do more than just educate efficiently? Will it put effort and intelligence and moral vision into making the new systems work fairly, not just smoothly? We wait, with bated breath.

## Libby Purves

## The Celtic conversion of England

John Haldane on a Blairite mission to the selfish south

I have often been said that Celtic Christianity, led by St Columba, saved Europe from barbarism in the 6th century. It is undeniable that, given its size and relative lack of wealth, Scotland has been remarkably productive of men (and women) of ideas — and of action. From Dark Age Celtic missionaries to the Protestant Reformation, and from Adam Smith and David Hume to Lord Reith and Cardinal Winning, Scottish life has been marked by a degree of concern for social morality that has generally been lacking south of the border. This fact may be of more than merely historical and sociological interest. It may be Britain's hope.

The New York Times recently published an article by Karl Meyer, "The Genius of Scotland", which argued that the cloning of a sheep by the Roslyn geneticists and the election to government of Tony Blair's Labour Party were examples of the long tradition of benign innovation associated with Scotland. Meyer attributed this national virtue to the country's education system. Remarkably, the Prime Minister, the Chancellor, the Foreign Secretary, the Chief Secretary and the Economic Secretary to the Treasury, the Defence Secretary, the Minister for Europe, the Lord Chancellor and the Solicitor General are all of Scottish origin. Given this possibly unprecedented national grouping in government, and the moral evangelism of the Scots, it would be surprising if there were not ambitions to effect deep changes in British society. I believe the process is under way.

In the 1980s, a criticism began to be voiced that Western liberal societies were excessively individualistic and committed to moral neutrality in public life. Consequently, they are unable to recognise, let alone promote, the virtues of moral communities. This "communitarian challenge" has become something of an orthodoxy among political theorists and the politicians they have influenced. One of its authors is the Scots-Irish philosopher, Alasdair MacIntyre, who is much quoted in social democratic circles. MacIntyre is a convert to Catholicism, favoured by religiously-inclined public figures.

The problem, as MacIntyre sees it, is that modern societies are demoralised and culturally fragmented. All that remain as bases for policy-making are appeals to personal advantage, or to threats of alien domination. Interestingly, these negative themes featured prominently in the Tories' election campaign: vote Labour and watch taxes rise and British interests be sold out to Europe. New Labour, by contrast, made much of rectitude in public life, economic justice at home, and a blend of morality and pragmatism in foreign policy.

There are, however, reasons for doubting whether New Labour's term of office will see improvements in the moral condition of government and of society. Many of its supporters in the urban middle class, particularly in London, are detached from traditional communities, and celebrate their rejection of conformity to older social norms. These supporters also give emphasis to freedom of choice as against habits of acceptance, self-sacrifice and duty. Witness in this regard the marginalisation of Labour for Life, the anti-abortion lobby group, and Mr Blair's personal discomfort over the abortion issue.

But as one moves north, the soil of moral community grows deeper. Cross the border and one enters another country, with its own religious tradition and its own educational and legal systems. Until recently, moral philosophy was more or less compulsory in Scottish universities and it is still pursued by large numbers of first-year art students. Scots in general are better educated, more settled and more morally conservative than their English counterparts. The class system is less pronounced and attitudes to Europe and the world are less xenophobic.

Out of this world have grown the leading figures of the Cabinet and, in particular, a Prime Minister with a clear ambition to nurture a sense of moral community. That ambition, and his administration, if it identifies itself with it, could be broken by resistance from rootless, self-indulgent individualists and from pressure groups promoting interests rather than values. A better inner-government strategy is suggested by the lives and missionaryaries of St Columba and his Celtic followers. They had first to establish strong moral communities within Scotland before they could venture further.

In short, the Blairite mission might do well to establish itself first in Scotland and then move south through the old communities of Sunderland, Lancashire and Yorkshire, building on the folk memory of shared existence. By stages, southern resistance to reform might reduce, or at any rate be less formidable. A Celtic conversion — or reconversion — could be in the offing, and at that point the Tories would look back on the 1997 election defeat and realise that their greatest loss was Scotland.

The author is Professor of Philosophy and Director of the Centre for Philosophy and Public Affairs at the University of St Andrews.

## Camping it up

BEFORE heading off to Tuscany next month, Tony Blair is said to be considering taking his family back to Bullfin in Bognor Regis. The talk among the Garden Girls of the Downing Street typing pool is that the Prime Minister is keen not only to shed some of his more conspicuous new Labour Terence Conran-Richard Rogers glitter, but also to placate his three children — Euan, Nicholas and Kathryn — who spent half-term at the camp with their nanny and grandmother two years ago.

Bullfin offers all sorts of advantages — it is aggressively unmetropolitan and attractively John Prescott in comparison to villas in Tuscany.

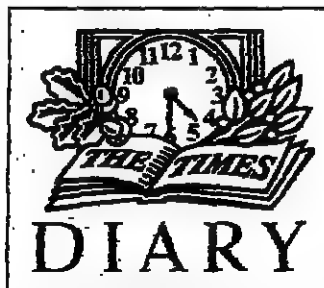
Downing Street's press office declared itself far too busy to discuss the PM's holidays. Down in Bognor Regis, however, the atmosphere is like happy hour in the Hawaiian lounge. When the last Blair party visited, they stayed in a self-catering County Suite costing £146 per person per week and were egged on by the club's 40 Redcoats to try pole-jousting, hingo, darts and pedaloe-riding. "I would love to see the Blair children again," says one of the Bullfin staff. "They had perfect manners."

There was sympathy among Salisbury's publicans for the plight of the former Prime Minister, Sir Edward Heath, who hosted a garden party for them over the weekend. Over the warm beer, he spoke of the trickle-down effect from the recent sale by Pamela Harriman, the late American Ambassador to France, of the Churchilliana she had accumulated from her first marriage to Randolph Winston's son. Since the sale, the price of Churchilliana has skyrocketed, leaving Sir Edward, who owns two portraits of Churchill, with massively increased insurance premiums.

## Blank pages

CHAOTIC scenes at the House of Commons, yesterday, as Britain's most prominent Asian women descended on Westminster for the launch of *Women of Substance*, a book of biographies. They arrived expecting a light buffet in the Jubilee Room at the Commons, only to find emptiness.

Keith Vaz, MP for Leicester East, had booked the room on behalf of Hansib Publishers, but when the office of the Sergeant at Arms dis-



covered it was for a book launch they stepped in and cancelled the booking. Apparently they were still feeling scorched by the occasion last year when Gerry Adams tried to launch his book in the Commons and was refused after mass outrage at the idea.

Letters of apology went out last Thursday but not everyone received them, leaving one very grand and huffy Asian woman to remark: "We won't be asking Keith Vaz to help out again."

## Moi bueno

UNAFFECTED and seemingly undaunted by the ugly goings-on in Kenya is Andrew Morton, author of *Diana, Her True Story* about Diana, Princess of Wales, and now working on a biography of the beleaguered Kenyan President. Daniel arap Moi. Morton

has spent some two years researching his authorised life of Moi, and completed his first draft earlier this year. He insists the recent trouble with the cathedral is not a crisis — "I have made several research trips to Kenya," says Morton — and this is merely the culmination of a problem that has been there for years. It is not a crisis — only 13 people have been killed.

## Saddle sir

IN recognition of his work on Westminster Cathedral, John Phil-



"Who says that prayer doesn't work?"

lips, 70, church architect and Anglican, has been honoured by the Catholic Church with a papal knighthood. As resident architect at the cathedral since 1976, Phillips' projects included paneling the nave in rosso laguna marble and erecting a lightning-conductor on the campanile.

After Phillips retired last month, Cardinal Hume recommended to the Vatican that he receive the Equestrian Order of St Sylvester, an honour rarely given to non-Catholics. "It's so exciting," says Phillips, who was invested last week. "Now I'm allowed to tether my horse to the cathedral."

Whales have been making California's Cadillac owners miserable. Their car alarms have been going off spontaneously, their boots flapping open and doors locking and unlocking. Scientists thought the cars were being affected by some kind of military radio signal. Then they suited it out: the Cadillac's radios shared a frequency with whale song and were responding to the whales conversing deep in the Pacific.

## Censored

IRELAND'S film censor has banned a video featuring Tony Blair's father-in-law, the actor Anthony Booth, *Confessions from the*



Anthony Booth and Cherie

*David Galaxy Affair* is one of a series of saucy Seventies films and features a young Booth together with the late Diana Dors and her husband Alan Lake.

Seamus Smith, the censor, said the video "would tend, by reason of the inclusion of obscene or indecent matter, to deprave or corrupt." "It's a bit saucy but otherwise quite a harmless film," says Stephen Rivers, the film's distributor. "Tony, who probably doesn't even know the film has been transferred to video, doesn't take his bit off and isn't involved in any sex scenes."

P.H.S.





## SEMTEX AND SYMBOLS

Why decommissioning matters more than Whitehall thinks

The IRA may have called a ceasefire but republicans are still flourishing their weapons. The timing of the IRA's announcement this weekend was designed to impale David Trimble, the Ulster Unionist leader, on a fork. If Mr Trimble acquiesces in the admission of Sinn Féin to talks with no guarantee that a single bullet would ever be surrendered by the IRA, he would not remain leader of the Ulster Unionist Party for long. If, however, he walked away altogether from talks, republicans would enjoy the pleasure of blaming the representatives of the democratic majority for erecting obstacles to "peace". Not for the first time, however, Mr Trimble has shown himself shrewder than his enemies had hoped and more determined to see negotiations succeed than his opponents allow.

Mr Trimble stressed yesterday that he is not abandoning the talks process, and indeed is broadening it by initiating wider consultation with Northern Ireland's citizens. But he emphasised that the Government's current position on decommissioning remains an impediment to progress. Although Mr Blair has assured the House of Commons that he wants weapons handed over during talks, his Government has provided Sinn Féin with assurances that this would not be required.

The accord on decommissioning reached between the Northern Ireland Secretary, Mr Mowlem, and the Irish Foreign Affairs Spokesman, Ray Burke, allows the IRA to sit on its armory for as long as it pleases. Mr Blair says that he cannot go back on that agreement. But unless he provides a guarantee that decommissioning will occur, Mr Trimble will have no option but to vote against the accord. Mr Trimble, unlike Gerry Adams, is the leader of a democratic party, not a Leninist vanguard.

For many on the mainland the Unionist position on decommissioning seems ab-

surdly stubborn. Surely, they say, even if the IRA chose to hand over a few weapons, it would still retain the capacity to go back to war: the Unionists are exhausting their allies' patience by insisting on the irrelevant. That is a misreading, of the kind that has bedevilled too many Whitehall officials who have brought their maps and rules to Ulster's borders.

Decommissioning weapons, as the Unionist MP Ken Maginnis pointed out yesterday, is the physical symbol of a psychological renunciation of violence. Although one might wish that the people of Northern Ireland could approach the peace process with the detachment of the cosmopolitan rationalist, there would be no need for a peace process if they did. Years of constitutional instability have forced Ulster's citizens to cling to symbols for security, as republicans know well.

Even though the token surrender of armaments could satisfy the demand for decommissioning without affecting military capability, republican strategists still will not contemplate such a course. It would, they believe, send an unacceptable signal to the world, and worse, to their grassroots, that they had definitively decided to abandon the armed struggle. Such a renunciation would entitle Sinn Féin to no more influence over Ulster's future than other minor parties and make its leadership targets for those of its supporters addicted to terror.

It is precisely because the republican leaders are still incapable of taking that risk for peace that Unionists are right to question their good faith, and wise to wait before talking. It is in Mr Blair's interests to ensure that republicans realise that they will have to hand over weapons if they are to shape Ulster's future. This is not just a sop to Unionists but a safeguard against another ceasefire broken and new hopes dashed once more.

## WORK TO WELFARE

Why the French are still different

Fifty days after being sworn into office, the French Government has outlined the first instalment of its policies. Faced with the irreconcilable nature of the programme on which they were elected and the Maastricht convergence criteria to which they remain committed, the Socialists have fudged both. Lionel Jospin had pledged an end to austerity if the Gaullists were ejected. But he had also proposed an economic audit to assess the real level of French public-sector debt. The package yesterday placed almost its entire emphasis on corporate taxation. This may technically satisfy past promises but will do little for France.

The audits undertaken by the Finance Minister, Dominique Strauss-Kahn, are the prelude to a full scale mini-Budget scheduled for September. At that point the Government will attempt to implement its wider economic strategy. These plans centre on the creation of 700,000 jobs — half on the public payroll — and the phased introduction of a 35-hour working week without loss of wages. Such a programme has rather more relevance to the 19th than the 21st century. It will also undo whatever progress might be made towards the Maastricht targets. Further increases in all types of taxation are probably inevitable.

The additional costs on companies will be passed on through higher prices or lower employment. The unemployed — some 12 per cent of the prospective workforce or about double that in Britain — had little reason for optimism under the premiership of Alain Juppé. It appears they will have no more under M Jospin. Economic expansion

has yet again been sacrificed at the altar of monetary union. If the measures announced had ensured that France met the Maastricht criteria they might have been justified in some quarters. As it is, the Government's own projections suggest that the deficit will still exceed 3 per cent of GDP at the end of 1997.

None of this will end the crisis of instability at the heart of the French political system. It has been 13 years since François Mitterrand abandoned his initial Keynesianism in favour of monetary austerity. In that time four different governments have sought re-election, all of them unsuccessfully. During the same period there have been nine Prime Ministers. On present evidence M Jospin may last little longer than his predecessors. The two consistent features have been continuous high unemployment and a slow but steady rise in support for the extreme-right National Front. Those trends seem unlikely to abate.

The contrast between the British and French Left could hardly be more vivid. Gordon Brown used his opening opportunity to cut corporation tax. M Strauss-Kahn has chosen to increase it. The Chancellor in London is concerned about excessive consumer spending; the Finance Minister in Paris has no such dilemma. Unemployment is falling on one side of the Channel but remains high on the other. The long-term legacy of Labour's first financial statement has been the Welfare-to-Work initiative. In France, the Socialists have assured that thousands more will make that same move in the opposite direction.

## NO TRANSLATION

Forward to shortlist, prize and school

In May this year the critic John Carey called for a new book of poetry to be purchased for every school in Britain. Its author was the Poet Laureate, Ted Hughes. Its inspiration was an acknowledged classic of European literature. Its subject was change — physical change, character change, the possibilities of a world in which the impossible was suddenly possible.

This was surely a plea which should have reached the ear of the new Government. What better way to celebrate a neglected British giant, a commitment to traditional education and a transformed political landscape?

Carey's call was not, however, immediately heeded. Tony Blair had other matters on his mind. Gordon Brown, civilised man though he is, may have feared that a £14.99 volume for every school library might be the thin end of a very wordy wedge. So, during Labour's first days of office, Ted Hughes's *Tales from Ovid* has been selling merely briskly, not in the numbers of a bureaucratic bulk purchase.

The judges of the Forward Poetry Prize have now stepped forward to give a further jog to the ministerial elbow. They have ignored the arguments from the garret-dwellers that Mr Hughes hardly needs their £10,000; they have dismissed the cries of the poetry pack that the prize will be barely noticed, still less appreciated, by a man who has won so much before. And they have placed his *Tales from Ovid* on their shortlist.

There is still, however, one small obstacle. Professor Carey may call the work "breath-taking". *The Times*'s own reviewer may

describe it as "one of the great works of the century". But the rules of the Forward Prize preclude the entry of translations.

Ovid, himself, would not have seen this as much of a problem. His *Metamorphoses* was a massive mythological work that itself owed much to previous models. If the estates of the Greek poets had had grasping lawyers, Ovid would have faced serious copyright claims. Indeed no Roman poet would have escaped the law courts. Translation, adaptation, transformation, plagiarism and every stage in between: all were part of literary Latin.

When English writers turned to Ovid, the result was a mixture of the plainest translation (works that would never have reached the Forward shortlists of their times) and the most inventive creation (that of Dryden and the 16th-century poet Arthur Golding being supreme). The difference is a matter on which critics and judges may disagree. But Hughes's work, by every account, is a work about transformation that is a transformation in itself.

A metamorphosis is the miraculous change of a subject from one state to another, one shape to another and one part of reality to another. Under the poet's will, humans turn to sea birds, to song birds, to wild flowers, snakes and stars. Metamorphosis allows plot twists worthy of a soap opera and ontological meditations fit for philosophers. As Mr Hughes wrote in *The Times* five years ago, it is "the first principle of poetic creation". Yes, *Tales from Ovid* should be on the shortlist, on the prize-winner's podium — and in every school.

## Churches face up to unemployment

From the Bishop of Liverpool

Sir, Those who criticise Church comments on daily realities like to claim that they are made by bishops or clergy who are assumed to live with their heads in the clouds. William Rees-Mogg commenting upon the report of the Churches' inquiry into unemployment ("Bishops buy a job lot", July 17) complains of bishops who support Keynes without having read *The General Theory*.

The working party which produced the report was drawn from all the main Churches in Britain and Ireland, not just the Church of England; it comprised 12 lay people and four clergy. All have wide experience in this vital human field. For example, Andrew Britton, the principal author, came from his distinguished work as Director of the National Institute for Economic and Social Research. William Rees-Mogg does not mention him in his criticisms of the report.

He describes the report as "protectionist", a position quite explicitly rejected by the authors. They say: "It does not seem plausible to us that Britain could stand aside from the globalisation of markets, without becoming increasingly isolated and impoverished."

He equates the policies supported in the report with those adopted in continental Europe. What the report actually says is quite different:

The condition of the unemployed in continental Europe cries out for justice just as much as the condition of the working poor in America. To put that right will require major reforms to the European model, not just a few "schemes" which tinker at the edges.

More fundamentally Rees-Mogg is wrong when he says that the cure of unemployment is not a moral issue. The inquiry was set up by the Churches, not just to analyse the trends in the labour market but also to "evaluate the policy options from a Christian standpoint". They have done this with economic sophistication — as most commentators have recognised — and also with deep moral commitment. It is an illusion to suppose that the ends of economic policy can be discussed separately from the means.

To give just one example: when is it right to say to people experiencing unemployment that the receipt of the Job Seeker's Allowance is dependent upon their joining a particular training course? Christianity is not only relevant to the grand design of economic strategy; it is also about the way it is implemented in detail.

I believe the report, *Unemployment and the Future of Work*, has demonstrated that the Churches have their own distinctive contribution to make to these debates, which is different from that of any purely secular political philosophy. I am delighted that the General Synod gave the report such a warm welcome.

Yours faithfully,  
DAVID LIVERPOOL,  
Church House,  
1 Hanover Street, Liverpool 1,  
July 20.

From the Reverend Nicholas Stacey  
Sir, William Rees-Mogg may be right to rubbish the Church report on unemployment and the future of work adopted by the General Synod of the Church of England.

It would be helpful if he was to write a second article suggesting what policies he would adopt to give employment and so hope to the 26.9 per cent of 18 to 24-year-olds in the Borough of Newham who are currently jobless. Or do we have to admit that nothing can be done to give them a future of the dole?

Yours faithfully,  
NICHOLAS STACEY  
(Chairman),  
East Thames Housing Group,  
3 Trafalgar Avenue, E15,  
July 17.

## Cathedral fabric

From Ms Jane Kennedy

Sir, Dr David King (letter, July 18) asks why the northwestern turrets at Ely Cathedral have not been rebuilt. The whole of the northwestern transept did collapse in the Middle Ages — its replacement now would cost tens of millions of pounds. The dean and chapter have rightly concentrated in recent years on raising funds to repair the standing fabric — an immense task, which we hope to complete for the new millennium.

Considerable thought has now also been put into the provision of much-needed visitor facilities, with the aim of removing the cathedral shop from the rear of the nave aisle and rehousing the refectory (which, despite Dr King's memory, has always been located in a self-contained structure built on the site of the northwest transept).

Wide consultations are being held and a number of alternative locations are being considered. A development on the site of the northwest transept is one possibility; but the needs of the cathedral, the cost of the development, its effect on views of the cathedral and the likely public response, will all need careful consideration.

Yours sincerely,  
JANE KENNEDY  
(Surveyor) to the Fabric of Ely Cathedral,  
Purcell Miller Tritton & Partners  
(Architects and design consultants),  
46a St Mary's Street,  
Ely, Cambridgeshire,  
July 18.

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

### Effect of court fees on justice for all

From Mr Stanley Brodie, QC

Sir, A gratuitous, and irrelevant, assault on so-called "fat cat" QCs is not what one expects of a responsible Lord Chancellor (letters, July 17).

The perfectly legitimate issue raised by Lord Ackner in the Lords debate on July 14 — namely, the protection of the constitutional rights of access of a litigant of modest means from the impact of new and increased court fees — called for a more convincing response than a diatribe against a handful of high-earning QCs out of 8,000 or more practising barristers, the majority of whom rely on legal aid as their source of income. No doubt Lord Irvine of Lairg's remarks were intended for media headlines; they did not meet Lord Ackner's question.

One of the reasons for the increased court fees is doubtless the need to finance the cost of the Lord Chancellor's ever-burgeoning department. From a small office in 1971 it has become an employer of many thousands. Anyone who has had dealings with it cannot help being depressed by its apparent inefficiency and waste.

The Lord Chancellor would impress more were he to announce a far-reaching examination of his own department to ensure that it provides the public with a cost-effective court service. One can hardly charge more for a service without improving its quality and value.

Yours faithfully,  
S. BRODIE,  
2 Hare Court, Temple, EC4.

From Viscount Bledisloe, QC

Sir, The Lord Chancellor's thesis that it is lawyers' fees, and not court charges, which deter litigants of modest means is strikingly contradicted by the fact that — as I learned from my colleagues — at the very moment when he was making his speech a number of so-called "fat cat" lawyers were considering the plight of a litigant whose lawyers were acting for him free of charge, *pro bono publico*. They had been unable to find money for the court charges which had to be paid before the litigant could pursue his appeal.

I am also concerned with another aspect of the Lord Chancellor's speech. As he himself admitted, he was until his recent appointment happily, or at least regularly, charging these very high fees for his own services. He likened his change of atti-

tude (report, July 15) to the conversion of St Paul: however I doubt that the Deity did in fact appear to Lord Irvine of Lairg on his journey from King's Bench Walk to his spacious apartment in the Palace of Westminster.

It would therefore be interesting to know just what has brought about this dramatic "post-practice remorse", as it was described yesterday in that saint's cathedral, at the memorial service for Lord Taylor. Has it any connection with Lord Irvine's translation from highly risky and pensionless practice at the Bar to the safe haven of an assured salary and a guaranteed life pension?

I am, Sir, your humble and obedient servant,  
BLEDISLOE,  
Fountain Court, Temple, EC4,  
July 16.

From Mr A. J. Cotton

Sir, The Chairman of the Bar Council (letter, July 17) is right that the substantial fees earned by top lawyers are negotiated at arm's length in a free market, but is quite mistaken if he really believes that these fees "do not affect access to justice for those of modest means".

Having practised as a solicitor in central London for nearly 40 years, I believe that the old adage still applies to almost all those who do not qualify for legal aid, "the courts are open to everyone — like the Ritz Hotel". I also believe that the American system of contingent fees goes a very long way to seeing that deserving cases get justice when otherwise they would not.

Yours etc,  
A. J. COTTON,  
338 Euston Road, NW1,  
July 17.

From Mr David M. Morris

Sir, How lucky we all are to have such an enlightened and altruistic Lord Chancellor, who not only feels able to liken himself to St Paul but who shows such tender and unselfish concern for the welfare of litigants apparently misguided enough to have valued his own services as a QC, and those of his former colleagues, at such an extortionate price.

Yours faithfully,  
DAVID M. MORRIS,  
9 St Leonards Road, Exeter, Devon,  
July 15.

### EU and Estonia

From Dr Graham Smith

Sir, In considering Estonia for membership (report, later editions, July 16), the European Union would do well to note that that country denies citizenship to a third of its residents. These are primarily Russian speakers of whom a large proportion were born in Estonia. Equally disconcerting is that since 1992 some 102,000 of them have opted for citizenship of Russia although our programme's research shows that most Russians in Estonia would prefer Estonian citizenship.

For most, the major obstacle to becoming citizens of Estonia is the existence of a language law requiring applicants to pass an Estonian language test, a language very different from Russian and which the majority of ordinary Russian industrial workers who settled in Estonia during the Soviet period were not obliged to learn. The Organisation for Security and Co-operation in Europe has recently encouraged the Estonian Government as a signatory to the Convention on the Rights of the Child (Article

Seven) to grant citizenship to children born in Estonia of non-citizen parents and who would otherwise be stateless. These approaches have so far made no headway in Tallinn.

Estonia's most significant national minority woke up one morning in December 1991 to discover that the country in which they were citizens — the Soviet Union — no longer existed. Should the EU be prepared to admit a country which does not permit large numbers of its inhabitants to vote in national elections and which denies them certain social and civil rights?

If membership of the EU is also about furthering liberal democracy and securing good relations with its eastern neighbour, Russia, then EU countries surely need to exert further pressure on Estonia to put its own house in order before granting it membership.

Yours sincerely,  
GRAHAM SMITH  
(Director),  
Post-Soviet States  
Research Programme,  
Sidney Sussex College, Cambridge,  
July 17.

### Tax in Scotland

From the Earl of Perth

Sir, Magnus Linklater's column today on the future Edinburgh Parliament, "A day for Scotland's bravehearts", is, as always, well informed and gives much food for thought. On a single point I reluctantly take issue: "Tax-varying powers would be included but ... their effect would be at best marginal."

Three per cent income tax yields around £450 million, which is marginal only compared to the block grant for Scotland of around £15 billion; its effect on those overseas companies contemplating investing in the UK, however, would surely be to make them look elsewhere in the UK. Indeed companies already long established in Scotland might seek to move,

as might individuals. This might well lead to more unemployment in Scotland, with no offsetting carrot to tempt newcomers from overseas.

There will be many, many contentious issues, as Magnus Linklater suggests, to keep the Scottish Parliament fully occupied during its first five years of life. I beg your Scots readers to vote "no" on the second referendum question — "I do/do not agree that a Scottish Parliament should have tax-varying powers" — knowing that such a hugely important issue, which could lead to the break up of the Union, is better considered later — say in the second Parliament. Principle should give way to pragmatism.

Yours truly,  
PERTH,  
House of Lords,  
July 17.

### Death of Versace

From Mr Brian North Lee

Sir, Anne McStravick's disapproval of the coverage of Versace's death (letter, July 19) is regrettable. One of the joys of your, and our, paper's coverage in recent years has been an insistence on breaking old barriers over who or what is newsworthy, and it extends also to obituaries of numerous folk who in the past would have totally eluded notice.

Newspapers should and do extend our horizons. "He was only a dress-maker, for heaven's sake" is condescending in the extreme in view of Versace's flair and genius. That I've never been able to afford his creations is immaterial, since I'm too old to do justice to them.

Yours sincerely,  
BRIAN NORTH LEE,  
32 Barrowgate Road, W4.

### Plus factor

From Mr Peter Lant

Sir, Was the statement that a "canal tax" on cyclists of "£12.50 each ... would add £50 to the cost of a cycling holiday for the average family of four" (Travel News, July 17) to demonstrate the writer's mathematical prowess, or based on a perception that your readers are victims of the fall in numeracy standards?

Yours faithfully,  
PETER LANT,  
19 Barnham Gardens,  
Plymouth, Devon.  
p1ant2132@aol.com  
July 17.

Letters should carry a daytime telephone number. They may be faxed to 0171-782-5046. e-mail to: letters@the-times.co.uk

### 'Welcome reality' on university costs

From Professor Sir Graham Hills, FRSE

Sir, If indeed students will be required to contribute towards the cost of their undergraduate studies (report and leading article, July 21), then a welcome measure of reality will have entered into the funding of universities. It would, however, be regrettable if this were seen simply as a financial penalty on students and their parents, instead of the first step towards the opening-up of higher education to all.

Two vital ingredients of these new funding arrangements must not be lost sight of. They reveal, for the first time, both the true cost of each student's higher education and the large contribution made by the State towards that cost.

For the latter to be appreciated it has first to be identified and then dignified with the title of bursary or scholarship — something to be thankful for. Then, as the President of the Union of Students has repeatedly stated, the ability to learn will be matched by the ability to pay, and this time for everybody.

The freedom of students to spend their bursaries where they will, in turn, guarantee the continued independence of the universities and, through simple market forces, the quality of what they provide.

Under these circumstances the Dearing report will be remembered as the opening of the doors to higher education and to everyone who can benefit — the Robbins proposal no less. That being so and seen to be so, new Labour, old Labour and every thinking person should have reason to be pleased.

Yours faithfully,  
GRAHAM HILLS,  
Sunnyside of Threepwood,  
Lairg Threepwood, Beith, Ayrshire,  
July 21.

From Mr Michael McClean

Sir, I believe it self-evident that education is of benefit to a community, and that part of that benefit is the sense of community developed by that education.

Does it not weaken the link between education and the community when a decision to take a university course depends on a judgment determined by the student's personal finances rather than by the priorities of the community?

Yours faithfully,  
MICHAEL MCCLEAN,  
38 Cornwall Crescent, W11,  
July 18.

From Dr B. W. Manley, President of the Institute of Physics

Sir, Simon Jenkins (article, "Payment by degrees", July 9; letter, July 16) suggests that students should pay different tuition fees depending upon what subject they study at university.

Were fees to be related to costs, it would seriously damage science in the UK. Already the number choosing to study science is inadequate to develop our wealth-creating capability; we do not need a further disincentive. Young people should decide what to study on aptitude and inclination not on what it would cost them. Science is expensive to deliver at university yet our economy depends upon it. We should not tax our young people to pay for a national need.

Yours faithfully,  
BRIAN MANLEY,  
President,  
The Institute of Physics,  
76 Portland Place, W1,  
physics@iop.org  
July 16.

### BBC and Booker

From Gerald Kaufman, MP for Manchester Gorton (Labour)

Sir, Your Diary today reports that coverage of the Booker Prize ceremony is being transferred from BBC TV to Channel 4 because the BBC demanded payment from Booker towards the costs of transmitting this programme.

Can this be the same BBC which has just renewed the contract with Camelot, whereby the BBC is reported to pay Camelot £550,000 a year for the privilege of advertising that not-exactly-unprofitable organisation?

I trust that this transaction will be remembered when the BBC next comes crawling to Parliament (soon to be the ex-star of the shortly-to-be-executed *Yesterday in Parliament*) for an increase in the licence.

Yours sincerely,  
GERALD KAUFMAN,  
House of Commons,  
July 18.

### Floral disarray

From Mrs Maureen Saunders

Sir, I unequivocally agree with the sensible sentiments of the retired members of the clergy: "Never upset the church flower-arrangers" (letter, July 19).

Having been a church flower lady myself for over 20 years, my experience is that we make such an excellent job of upstaging one another that any interference whatsoever is superfluous.

Sincerely yours,  
MAUREEN SAUNDERS,  
The Gables,  
Dorchester Road, Wool, Dorset,  
July 19.







## OBITUARIES

## SIR GARFIELD BARWICK

Sir Garfield Barwick, AK, GCMG, barrister, politician and judge, died in Sydney on July 13 aged 94. He was born on June 22, 1903.

It was Sir Robert Menzies, who had himself progressed from legal eminence to become a towering figure in Australian politics, who declared in 1974, of the man he had named Commonwealth Attorney-General 16 years earlier: "He was never any good in Parliament — he didn't understand Parliament. He was a disappointing politician. But he was a good lawyer."

This might seem an ungenerous verdict, but it was as nothing compared to the vituperation heaped upon Garfield Barwick by the Australian Left for his involvement in the dismissal of the Whitlam Government in 1975. This earned him the description "the greatest legal hate-figure since Judge Jeffreys". The sacked Prime Minister Gough Whitlam never spoke to Barwick again, regarding him as only marginally less culpable than the detested Sir John Kerr, who as Governor-General had actually done the deed.

This, the greatest political sensation in Australian history to date, was sparked off by the call from the Leader of the Opposition Malcolm Fraser for Kerr to dismiss the Government because it could not get essential financial legislation through the Senate. Barwick, as Chief Justice, advised Kerr that such an unprecedented step was within the powers of the office. The fact that he also told Kerr that he should proceed with the action, rather than merely give his legal opinion, was held by Labour supporters to be an abuse of public office, and he was never forgiven. But in his 1995 memoir, *A Radical Tory*, Barwick insisted that he had been correct both in his advice and actions.

If this was the most dramatic of Barwick's legal activities over a long career, it was only the last in a series of events in which he made headlines and became a public figure, despite his modest and slightly improbable origins.

Garfield Edward John Barwick em-

plified the conformity of Non-conformity. He was a lower middle-class boy brought up in the ethos of Methodist concern for careful standards and hard work which played so significant a part in the Australia of his day. The son of a jobbing printer, he grew up in the harbourside district of Double Bay, when it was a mix of market gardens, fishermen's shacks, sandy scrub, and a few mansions — a far cry from today's affluent Sydney suburb.

His mother was his inspiration, urging him to "make something of himself", as he went — often barefoot — to a local state school, and then to Fort Street High School. Barwick was to say half a century later that he always remembered the school motto, "Each man is the maker of his own fortune".

The industrious student won a scholarship to Sydney University, studying arts and then law, before being called to the New South Wales Bar in 1926. Short of stature and unimpressive of features, he learnt to overlay his native toughness with a necessary veneer of social graces. But he could be ferocious in court, willingly taking on senior luminaries of his profession with no thought as to their status. In an early case he demolished a leading KC, who returned to his chambers cursing "that bloody little thug".

Barwick, like so many Australians, was hit by the Depression, after standing guarantor for his brother Douglas, who opened a service station. The business failed and, after Barwick unsuccessfully sought time to pay money owed to Shell Oil, he was made bankrupt. He worked hard to restore his financial position — but he did not forget. One contemporary suggested the decision probably cost Shell many thousands of pounds over the years — "Ger Barwick was a bloody good hater".

He practised extensively in all jurisdictions of the State Supreme Court, the Commonwealth High Court, and the Privy Council, being appointed a KC in 1941. He was to serve as president of the NSW Bar Association, 1950-52 and 1955-56, and a member of the Law Council of Australia, 1952-54.

During the war years, Barwick became



involved increasingly in litigation, challenging security and other regulations brought down by the Commonwealth Government, on the grounds that they fell outside its constitutional power. Repeated appearances before the High Court, involving critical study of the constitution, quickly brought him the reputation of a pre-eminent constitutional lawyer.

He leapt to the front rank when the Chifley Labour Government of 1945-49 decided the economy could no longer be left to the mercies of private banks — whose policies during the Depression had been bitterly resented. In 1947 he brought down a Bill to provide for the transfer of all Australian private banks to public ownership.

relatively junior KC, leading for them to some effect. When the court found for the banks, the Government appealed to the Privy Council, its case argued in London by another well-known lawyer-politician, H. V. Evatt, later leader of the Labour Party. But in July 1949 the decision was upheld, and the setback to Chifley's policy had much to do with the Government's decisive defeat in the December election, bringing in the Menzies administration and 23 years of non-Labour rule.

Barwick's six-day address to the Privy Council was highly praised. Sir Walter Monckton, counsel for the English banks, went so far as to comment: "I have been appearing in the appeal courts for 25 years, and I have never heard anything so equal that". If he had wanted to have a career at the English Bar, he could certainly have done so.

Curiously, Barwick had first become known to his home public through a very different case involving Australia's Archibald Prize for art. In 1943 this prize for portraiture had been awarded to William Dobell for a painting of a fellow Australian artist, Joshua Smith, which showed a bizarrely emaciated character, quite unlike standard public life portraiture. Conservative Australia deplored the choice, and two artists went to law claiming the work was a caricature and therefore ineligible. The appeal was rejected, but all Australia followed the proceedings with glee, and Barwick for the appellants became instantly known for the vigour of his argument. The 1950s saw Barwick widely regarded as the leading counsel in Australia.

In 1958 at Menzies's urging, he stood for the NSW seat of Parramatta and entered the Federal Parliament, with many Liberal Party supporters believing he might in time succeed Menzies. But Barwick was not especially effective in the House of Representatives. The deals necessarily done behind the scenes did not suit his professional or personal inclinations. He was also uneasy at social gatherings, always obligatory for any politician.

Nevertheless, he soon became Attorney-General and in 1961 he was appointed

Minister for External Affairs, for a couple of years actually combining the two roles. He led Australian delegations to the UN, but he faltered when Indonesia took over West Irian (West New Guinea), failing to make any proper protest against what was clearly an illegal move under international law.

He was on the whole relieved to quit politics in 1964 to become Chief Justice. Having been appointed before the introduction of a retiring age, he remained for a record term of 17 years, stepping down finally at the age of 78.

He was widely regarded as a conservative legalist who adhered strictly to the letter of the law, rather than seeing it as a platform on which to develop civil liberties or reform. He was also widely criticised for his insistence that payment of tax was a legal issue, not a moral one, and for upholding the right to tax avoidance schemes, a decision blamed for sparking a spate of national tax-dodging. But he was given much credit for replacing confusing individual state divorce laws with a unified federal approach, and for laying the foundations for modern trade practice law. With a touch of irony, given his original leap to fame, Barwick was a prime mover in ending the role of the Privy Council in Australian law (the last Australian appeal was heard in 1987).

While he was demonised by many, and his self-esteem verged on vanity, friends found him a good companion, with a dryly whimsical sense of humour. Barwick found relaxation as gardener, fisherman and yachtsman. A member of the Royal Sydney Yacht Squadron, he had the sloop *Anitra* built in 1956, and sailed her in 12 Sydney-Hobart races, winning in 1957 and finishing second three times.

Virtually blind for his last ten years through diabetes, Barwick was patron of the Australian National Council for the Blind. He was Chancellor of Sydney's Macquarie University, 1967-78. He was knighted in 1953, appointed GCMG in 1965 and a Knight of the Order of Australia (AK) in 1981. He married Norma Symon in 1929; she and their son and daughter survive him.

## THE REV SHELAGH BROWN

The Rev Shelagh Brown, author and editor, died after a fall at her home on June 29 aged 67. She was born on February 23, 1930.

BY THE death of Shelagh Brown the Church of England has lost one of its best-known women priests. Her work as editor of the Bible Reading Fellowship's daily notes was familiar to some 85,000 regular subscribers. She was also the author of a number of popular religious books, including *Value Me, Feeding on God and Lent for Busy People*, and general editor of the *People's Bible Commentary* series.

Shelagh Margaret Brown was born in London but grew up in Oxford, where she attended Oxford High School.



Her first career was as a personal assistant, working successively for Sir Edward Boyle, Sir Jock Logan and Professor Sir Norman Anderson, and for a time in the press

office at Buckingham Palace. During her time in London, having earlier rejected the formal religion of her upbringing, she came back to the Christian faith through a pow-

erful conversion experience.

Following training on the Southwark Ordination Course she was made a deaconess in 1980 and ordained deacon in 1987, serving in parishes in the London and Southwark dioceses. From 1986 to 1989 she was Director of Archbishop Coggan's Training Service Centre, an appointment which recognised her skill as a motivator and teacher.

However, Shelagh Brown's full potential was not realised until she joined the staff of the Bible Reading Fellowship in 1991, and especially after her ordination to the priesthood in 1994. On the day of the final debate in General Synod on the ordination of women she made a melancholy note in her diary. She was convinced that the measure would fail to

achieve the necessary vote, and she wrote that, should it do so, she would feel bound to leave the ministry of the Church of England.

It did not fail and she stayed, spending some of the most creative years of her life as editor of the widely read BRF daily notes, and as the author of a number of perceptive devotional books. She also discovered and nurtured several new authors, and encouraged others to attempt books for which, in truth, they had neither the time nor the inclination. As the Bishop of Maidstone — one of her authors — recently observed, she did not know the meaning of the word "No". But from her determination came unexpected treasures, as busy people found time that they did not know they had to share experiences and insights that their editor had decided should become public property.

Shelagh Brown was a woman of tremendous energy and flair, full of ideas (some of them quite impractical) and with the determination to make things happen. In 1996 she launched an ambitious project to publish a popular, accessible commentary on every book of the Bible. The first five titles, by an international and ecumenical team of distinguished scholars, are a tribute to her professional skills. The remaining titles, over the next six years, will be a fitting memorial to her vision.

The sole child of parents who were themselves only children, she had no close family and did not marry. She was, once, recalled, rescued by her mother from a dangerous liaison in Rome. But she enjoyed a wide circle of friends, and her dinner parties were legendary. She died following a fall at home, as she hurried to open the door to dinner guests. She left no instructions as to the hymns or readings at her funeral but very precise directions as to what should be served at the reception to be held afterwards — Lanson Black Label champagne.

## ALAN CHARIG

Alan J. Charig, curator of fossil reptiles and birds at the Natural History Museum, 1961-87, died on July 15 aged 70. He was born on July 1, 1927.

DINOSAURS have never been so popular with the public as they are today, and much of this is thanks to Alan Charig's efforts in the 1970s. He wrote and presented a 10-part BBC series on vertebrate palaeontology, *Before the Ark*, in 1974, which did much to kindle interest and to inspire many who now work in the field. A *New Look at the Dinosaurs* (1979) was translated into several languages.

Charig was a research scientist in the department of palaeontology at the Natural History Museum, working principally on dinosaurs and their immediate Triassic ancestors, but also on topics as varied as limbed amphibians (two "worm-lizards") and a gastropod mollusc from Fiji. Evolutionary theory and classification were strands through most of his work; he enjoyed vigorous and often heated debates opposing the gradual and now almost universal adoption of phylogenetic systematics and cladistic classification by vertebrate palaeontologists.

He was educated at Haberdashers' Aske's School in Hampstead and Emmanuel College, Cambridge. His undergraduate education was interrupted by National Service in the Royal Armoured Corps, first as a tank driver, then as a Russian interpreter in Germany from 1946 to 1948.

On graduating in zoology in 1951, he remained at Cambridge as a postgraduate student, and gained a PhD in 1956 on Triassic archosaurs from Tanganyika (now Tanzania). After a short spell as lecturer on the Gold Coast (now Ghana), he took up a post in invertebrate palaeontology at the Natural History Museum in 1957. There he remained, moving to a position suiting his interest in reptiles in 1961. He was pro-



moted to principal scientific officer in 1964.

He organised and led joint museum expeditions to other institutions to many parts of the world: to Zambia and Tanzania in 1963, to Lesotho in 1966-67 (when the oldest articulated fossil mammal skeleton was discovered in rocks of the early Jurassic age), and to Queensland in 1978 (turning up one of the geologically earliest herpetiles).

A British Council scheme afforded him a privileged visit to China in 1979, which was the forerunner of a field expedition to Sichuan Province in 1982 in conjunction with the Institute of Vertebrate Palaeontology and Palaeo-anthropology in Beijing. That trip was the most fascinating of his many foreign experiences; but in the following year a rather less exotic location — a brick-pit near Oxford, Surrey — provided the most exciting research project of his career: a unique fish-eating dinosaur, *Baryonyx walkeri*, from the early Cretaceous period.

Life at the museum suited Charig well. A gregarious and sociable man, he enjoyed meeting the public, especially children, and was an accomplished and entertaining lecturer with a gift for explaining complex science simply.

He made many original scholarly contributions to dinosaur science, including a hypothesis to explain the unusual pelvic structure in plant-eating dinosaurs which he referred to informally as "the femur knocking on the pubis problem". In the mid 1980s he found himself defending the museum's most famous fossil, the original specimen of the earliest known bird, *Archaeopteryx*, the authenticity of which was challenged by Sir Fred Hoyle. Charig and other members of the staff were accused of concealing the alleged forgery, but he responded with a robust and thorough refutation.

Following his retirement in 1987, he continued to do research at the museum, taking up a two-month research fellowship awarded by the Japan Society for the Promotion of Science. More recently his travels had taken him on an arduous tour of fossil sites throughout Argentina. At the time of his death he was in full flow, working on several long-term projects, notably the description of one of the earliest plant-eating dinosaurs, *Seeliosaurus*, from Dorset.

Alan Charig's wife, Marianne, died in 1987. He is survived by a daughter and two sons.

## PERSONAL COLUMN

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# THE TIMES

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TODAY



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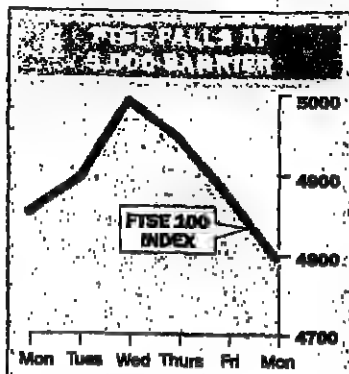
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BUSINESS EDITOR Patience Wheatcroft

TUESDAY JULY 22 1997

## Britain risks 1998 recession, economists tell MPs



By Alastair Murray  
and Michael Clark

THREE leading economists yesterday told the Commons Treasury Select Committee that Britain faces a serious risk of recession next year. The comments came as the stock market suffered another sharp fall amid concern that the bull run may be over.

The FTSE 100 index fell 71.5 points to close at 4,805.7, almost 200 points below the all-time high set in early trading on Friday. However, Wall Street, which sparked a decline

in markets worldwide after a 130-point fall on Friday, recovered from early losses to show a gain of about five points by lunchtime.

Gavin Davies, chief economist for Goldman Sachs, told the Treasury Select Committee yesterday that if sterling stays strong and the Government sticks to its spending plans, the Bank is already "risking overkill". However, Mr Davies, who is an adviser to Gordon Brown and tipped as a future Governor of the Bank of England, said he remains marginally in favour of further interest rate rises because,

"without these two conditions in place, interest rates almost certainly need to rise in the future". He added that the chances of making a major monetary policy error were greater now than in 1987.

Martin Weale, director of the National Institute of Social and Economic Research, predicted that the Bank was in greater danger of undershooting the inflation target by 1 per cent than of overshooting it to the same degree. Mr Weale's views were supported by Bill Martin, co-director of economic research for UBS, who argued that the

economy is poorer, fairly heading for a "hard landing" next year.

However, Mr Martin told the committee that monetary policy mistakes by the last Government and recent windfall pay-out made a recession "inevitable and required". The market, closing before the economists' views were known, agreed. Banking shares were the biggest casualty as traders concluded that the recent bull run had left them overvalued.

Renewed worries about the impact of sterling on profits also hit shares in the pharmaceutical sector,

another strong performer over the past few weeks.

The pound crawled back above DM3.00 as French budget plans heightened market fears of a broad single currency. Sterling closed up around 1.5 pennings at DM3.0144. Its trade-weighted index rose 0.4 to close at 105.2.

Dealers said there are some signs that institutional investors have begun switching out of blue chip shares and into second liners to seek better value.

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## BUSINESS TODAY

STOCK MARKET INDICES	
FTSE 100	4805.7 (-71.5)
FTSE All share	2256.49 (-27.68)
Nikkei	Closed
New York	7893.48 (+3.02)
S&P Composite	913.00 (-2.30)

US RATE	
Federal Funds	5 1/8% (5 1/8%)
Long Bond	10 1/8% (10 1/8%)
Yield	6.54% (6.52%)

LONDON MONEY	
3-month Interbank	5 1/8% (5 1/8%)
Life long gdt	114 1/2% (114 1/2%)
Future (Sep)	114 1/2% (114 1/2%)

STERLING	
New York	1.6780 (1.6780)
London	1.6780 (1.6744)
DM	1.6780 (1.6744)
FF	10.1760 (10.1310)
SP	2.4771 (2.4678)
Yen	164.27 (163.41)
£100/\$	105.1 (104.8)

DOLLAR	
London	1.7855 (1.7825)
DM	1.7855 (1.7825)
FF	1.7855 (1.7825)
SP	1.7855 (1.7825)
Yen	115.83 (115.80)
£100/\$	105.1 (104.8)

NORTH SEA OIL	
Brent 15-day (Oct)	\$18.20 (\$18.18)

GOLD	
London close	\$328.73 (\$328.25)

\* denotes midday trading price

## NatWest to cut Markets capital by £1bn

By Paul Durman  
and Jason Nuss

NATWEST GROUP is planning to reduce the capital allocated to NatWest Markets by more than £1 billion as part of its strategy to turn the ailing investment bank round.

The move will be the main result of the review of the business, to be announced with NatWest's half-year results on August 5, along with a commitment by Derek Wanless, NatWest's chief executive, to retain the operation.

Mr Wanless became acting chief executive of NatWest Markets after the resignation of Martin Owen, who left last month on publication of the report into the £77 million options losses incurred earlier this year. NatWest is unlikely to be able to name a new chief executive for the investment bank on August 5.

The capital in NatWest Markets was £3.1 billion at the end of 1996, about 40 per cent of the total capital of the group. The target is to cut this to 25 per cent, or about £2 billion.

Since the publication of the report it has emerged that NatWest has been in unsuccessful merger talks with Abbey National and Prudential Corporation.

The breakdown of NatWest's merger talks with the Pru has increased pressure on Mr Wanless and Lord Alexander of Weedon, the bank group's chairman.

NatWest has still not confirmed its recent merger talks, although apparently required to do so by the rules of the Stock Exchange and the Takeover Panel. The Panel requires an announcement to be made when a merger approach prompts rumour and speculation or an untoward movement in its share price. Speculation has forced NatWest's shares up by almost 150p.

The Panel is understood to be examining whether NatWest should clarify the situation. Michael Lever, analyst at HSBC James Capel, said: "It reflects poorly on NatWest's management when it's seen staggering from one party to another and being rejected."

Commentary, page 27

## Chief of United Utilities quits in boardroom rift

By Christine Buckley  
INDUSTRIAL  
CORRESPONDENT

BRIAN STAPLES has quit as chief executive of United Utilities amid talk of a bitter boardroom rift, a move that stunned the City and caused a sharp fall in the share price.

The company, which supplies water and electricity in the North West, said that Mr Staples had left after "a loss of confidence in him by the board". Shares in United Utilities fell 69 1/2p, to 699 1/2p.

Mr Staples, who has share options worth £1.2 million, earned £300,000 a year. He has instructed lawyers to negotiate severance terms. He was appointed from Tarmac to work alongside Sir Desmond Pitcher, who continues as executive chairman.

Sources close to the company said that a series of problems had caused the board, led by non-executive directors, to lose confidence in Mr Staples. He is accused of not communicating problems to the board with sufficient speed and is likely to be blamed for the ill-fated Bangkok contract, which led to a provision of £83 million.

However, relations between senior executives are believed to have soured after Mr Staples demanded Sir Desmond quit his £310,000-a-year executive role to become a non-executive chairman. Other executive directors who may have supported him are believed to have included Bob Ferguson, finance director, a close associate of Mr Staples.

Some executive directors did not know of the quit decision until yesterday morning. The non-executive board, led by Sir Peter Middleton, chairman of BZW and deputy chairman of Barclays Bank, is said to have been unanimous in its loss of confidence decision over Mr Staples.

Pressure on Sir Desmond, who has been dubbed "King of the fat cats", to relinquish his



Sir Desmond Pitcher, left, with Brian Staples in happier times. The company's shares fell 69 1/2p on the news

executive duties surfaced after the annual meeting when institutions were said to be keen for him to step down.

Last year Sir Desmond was at the centre of a controversy over executive pay when the company introduced a long-term incentive scheme that delivers bonuses of up to 127 per cent of salary. Eric Clark, chairman of the remuneration committee and a non-executive director who backed Mr

Staples' departure, works alongside Sir Desmond at the Merseyside Development Corporation where he is also a non-executive director.

In 1994 Sir Desmond welcomed Mr Staples from Tarmac, where he was a divisional managing director, as chief executive of North West Water, which went on to buy Norweb, the electricity company, to become United Utilities. It has been known

that the two have since had a difficult working relationship.

Angela Whelan, analyst at Credit Lyonnais, said: "Mr Staples was respected for what he did. This is nothing to do with the strategy of the company but rather seems a personal matter." Nigel Hawkins, utilities analyst at Yamaichi, said: "This came as a big shock to the stock market and we may only have seen half the story so far."

Mr Staples is replaced by Derek Green, who currently heads the utility division of United. The company said Mr Green would remain in place until the millennium, seeing the water and electricity businesses through two more regulatory price reviews and the introduction of competition into domestic electricity.

Commentary, page 27  
Pitcher power, page 29

## Taxman criticised over 'needless failures'

By Fraser Nelson

THE tax authorities were yesterday attacked by both the insolvency profession and a leading MP for forcing thousands of self-employed workers into unnecessary bankruptcy.

Businesses that collapse owing money to the Inland Revenue and Customs and Excise are nearly twice as likely to be made bankrupt as those whose future is decided by creditors in the private sector, a survey by the Society of Practitioners of Insolvency has found.

The report, drawn from 1,300 insolvency cases, suggests the Revenue is opposing Individual Voluntary Arrangements (IVAs) — where businesses keep trading in the hope of recovering more money to pay their debts.

Ann Widdecombe, the former Conservative minister, has raised this issue in Parliament. She said: "This survey proves what I suspected, which is that, if you are tottering on the brink of bankruptcy, your fate will be decided by the Revenue or the Excise."

"It makes no sense for the taxpayer — if you bankrupt somebody with no assets, you get nothing. They may not have such a policy [opting for bankruptcy] but they darn well have such a practice."

The Inland Revenue flatly denied any preference for bankruptcy, saying that it officially considers the procedure a last resort.

A spokesman said: "We don't like bankruptcy because it is not very good for the individual concerned and it means that we don't get our tax. If there is a vaguest possibility of an alternative, we would go for it."

According to the survey, only 24 per cent of self-employed people who became insolvent under taxation or duty debts continued trading under an IVA last year.

## Arnault quits Guinness in protest

By Dominic Walsh

BERNARD ARNAULT, the chairman of LVMH-Moët Hennessy Louis Vuitton, the French luxury goods group, resigned from the Guinness board yesterday in protest at the "negative and virulent" response to his proposed alternative to Guinness's planned £24 billion merger with Grand Metropolitan.

M. Arnault, who has been a non-executive since 1989, said the move would allow him to focus on promoting his own proposal for a three-way merger of the drinks businesses of Guinness, GrandMet and LVMH, which envisages LVMH with a 35 per cent stake in the enlarged group. The two British companies last week dismissed his scheme as "a complicated and costly break-up" that would give him "back-door control".

A spokesman for M. Arnault said last night: "He was asked to come up with a proposal and he did so, but it was rejected within an hour. It was an 18-page document and shareholders deserved better than to see it rejected so quickly."

Guinness will not issue a formal response until its board meeting tomorrow.

## French companies flower in the garden of England

By Oliver August

KENT is known as the garden of England, but yesterday's French corporate tax changes could turn it into the workhorse of France.

French companies are fleeing the high costs in their domestic market and locating at the other end of the

Channel Tunnel. The latest tax rise could turn the trend into a stampede, according to the Ashford Chamber of Commerce.

Ron Stainton, the chamber's chief executive, said French businesses can make dramatic tax savings by coming to England. He said: "As the situation in France gets worse, more

companies will come over here. Their critics say we are providing cheap labour but, of course, we are providing cheaper taxes."

SBE, a French mobile phone repair company, set up in Ashford in January but is already planning to triple the size of its premises. Gregory Dumont, SBE's project

manager, praised Britain's low company taxes: "The business climate is better here."

His company chose Kent as its English base because of its proximity to France. M. Dumont said: "In an emergency, we can put a few boxes in the company car and go over. If we want to go to our French sites we just

take the Eurostar." The train takes two hours from Ashford to Paris.

Another advantage in England is the more flexible nature of employment law. M. Dumont said: "If you have an overload you simply hire staff for a short period. In France you can't do that. It's also easier to lay them off — but we haven't had

any experience of that." The extra tax burden is part of French government effort to meet the budget criteria for Europe's single currency. Labour cut UK corporation tax from 33 to 31 per cent this month — the lowest level in Western Europe.

Gallic flair, page 29

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## House prices 'will keep on rising'

By Carl Mortished

HOUSE prices will continue to rise until well into 1999, in spite of the recent increase in interest rates, predicts the Royal Institution of Chartered Surveyors today.

Ian Perry, RICS housing market spokesman, said: "Given the shortage of property for sale, we can expect prices to continue to rise over the next 18 months."

RICS members reported a slowdown in the housing market's recovery in June, but said the reduction in mortgage tax relief is not expected to curb demand from homebuyers.

The RICS Housing Market Survey found a reduction in the proportion of chartered surveyors reporting house price increases from 60 per cent in May to 56 per cent in June. The slowdown was most notable in areas where growth had been strongest: London, the South East and the South West.

Fears that the Government would sharply increase stamp duty caused a sharp rise in sales, up 12 per cent on the previous year, but uncertainty over the Budget caused a 25 per cent reduction in the number of properties for sale.

Mr Perry said the cut in Miras was less than had been feared, and the increase in stamp duty for houses at the top end of the market would affect only some 30,000 of the 1.4 million transactions expected in the next year. "Given the shortage of property for sale, we can expect prices to continue to rise over the next 18 months," he said.

The Royal Bank of Scotland and Bradford & Bingley Building Society followed other leading mortgage lenders by announcing increases in their home loan rates. The move comes after the decision this month of the monetary policy committee of the Bank of England to raise interest rates 0.25 percentage points to 6.75 per cent. Royal Bank's variable rate rises 0.25 of a point to 8.2 per cent, while Bradford & Bingley's is up 0.35 of a point to 7.7 per cent.



Soek value: John Morgan, chairman of Porvair, the chemical technology company, where the waterproof sock is among new products that will emerge in the second half of the trading year.

Yesterday's half-year results show profits up from £15 million to £21 million with earnings per share up from 4.1p to 5.4p. The interim dividend, due on September 26, was raised from 1.9p to 2.1p. The company

is expecting trading growth to continue at the current pace. It said: "We believe the waterproof sock will add a new dimension to the success of Comfort Barrier Systems, and the group as a whole."

## German banks agree two-stage merger deal

By Oliver August

GERMANY'S second-largest retail bank is to be created by a complex merger agreement, valued at DM40 billion (£13 billion), between Hypo-Bank and Vereinsbank, the fourth and fifth-largest players in the highly fragmented German market.

Under a two-stage plan, Vereinsbank will offer next week to swap six Hypo-Bank shares up to a total of 45 per cent of Hypo-Bank's share capital for one share in

Allianz, Europe's biggest insurance group. Simultaneously, this allows the merged group to dispose of Vereinsbank's 8.5 per cent non-core shareholding in Allianz without tax charges.

The swap represents a premium of 28 per cent over Hypo-Bank's closing price on Friday. Shares rose by 60 per cent over the last year as merger speculation mounted.

The major benefit will be cost-cutting. Together the two banks have 40,000 employees. Some insiders suggested that about 7,000 jobs would go but the number could be higher. It is believed that a deal has been struck with the powerful

banking union to avoid disruptions. Germany's last mega-merger — between Thyssen and Krupp, the two steel giants — failed because of strong political opposition.

Combining the branch network of the two banks is expected to take about four years and should lead to savings of DM1 billion per annum. A DM1.4 billion restructuring charge will be spread over the four years.

The deal is expected to be earnings enhancing in the first full year. Both banks emphasised that they had the backing of the Bavarian state government to create a strong financial counterpart to Frankfurt by remaining in Munich, their home base. Neither bank expected regulatory objections.

Germany is regarded as heavily overbanked, with more than 3,600 commercial, public and co-operative banks, battling for market share. Nevertheless, the deal was put together by an American bank, JP Morgan, which advised both sides.

## Cox seeks insurance buyback

By Marianne Curphey, Insurance Correspondent

COX INSURANCE, the Lloyd's group, is looking to almost double its in-house underwriting capacity this year by spending up to £22 million in buying back capacity from individual names.

It aims to acquire £100 million of insurance capacity from names on the three syndicates it manages.

Cox is offering either cash or shares in return — 13p for the right to subscribe £1 of capacity for the 1998 underwriting year of account for syndicate 218, 15p for syndicate 1485 and 40p for syndicate 1176.

The latter is highly profitable, specialises in nuclear risks and was the best performer in 1993, with a 56 per

cent return on capacity. If the offer is fully taken up the company would directly control about 45 per cent of its total underwriting capacity.

The offer represents an increase on last year, when the group paid between 4p and 18p per £1 in a similar offer.

Tempus, page 28

## US call for further Energy bid details

By Christine Buckley, Industrial Correspondent

THE £3.65 BILLION takeover of The Energy Group by Pacificorp, the American utility, hit a potential obstacle yesterday when competition authorities in the US demanded more information about the deal.

The Federal Trade Commission wanted further details of the tie-up that will bring Peabody Coal, the world's biggest coal business, under the control of Pacificorp along with the Eastern Group, the domestic electricity and gas business.

Mines owned by Pacificorp produce 23 million tons of coal a year for its power stations. Peabody produces 160 million tons of coal.

A spokesman for The Energy Group said that the two companies were working to provide the information requested and no hitches were expected to the takeover, which is still awaiting approval from the UK Government.

He said that the Federal Trade Commission had asked for the extra information at the end of the 30-day period it had to investigate the takeover.

If the commission has concerns over Pacificorp's potential power it could order divestment of some mines. But the spokesman said that current talks were on preliminary for such a move.

Margaret Becker, President of the Board of Trade, is scheduled to announce by August 5 whether she will refer the bid by Pacificorp to the Monopolies and Mergers Commission.

The takeover was not opposed by Stephen Littlechild, the regulator for the electricity industry.

Patrick Gavin, chief executive of Aero International, said: "This latest order reaffirms the RJ family as the large regional jet of choice among the world's most successful airlines."

Northwest ordered 24 planes after previously ordering 12. Michael Levine, a Northwest executive vice-president, said: "The introduction of the RJ-85 allows expansion in markets where demand exceeds the capabilities of turboprops, and the entrance into new markets."

Deliveries of the aircraft will begin in May 1998 and will continue for several years at a rate of approximately one per month.

The order by Northwest is one of the biggest for regional aircraft in recent years. A total of 136 RJ-85s has been sold by Aero International.

With steeply rising numbers of passengers and aircraft, however, this has enabled NATS to reduce its charges and pay off loans quicker than expected. But this in turn has reduced its ability to fund investments in new radars, improved communications and air traffic control units.

NATS has already been turned into a wholly owned subsidiary company of the CAA and will today reveal a profit of £13.7 million. It is required by the existing legislation to break even on airspace services and to achieve an 8 per cent return in real terms on other activities.

With steeply rising numbers of passengers and aircraft, however, this has enabled NATS to reduce its charges and pay off loans quicker than expected. But this in turn has reduced its ability to fund investments in new radars, improved communications and air traffic control units.

Nearly all capital expenditure now has to be part of the PSBR. The last Government planned to privatise all NATS and so raise more than £500 million. But the scheme ran

## BAe lands \$620m order for RJ-85 jets

By Oliver August

BRITISH AEROSPACE has landed an order for regional aircraft worth \$620 million (£400 million) from Northwest Airlines of America. The order will safeguard 4,000 aerospace industry jobs in Britain.

The 70-seat RJ-85 is being built by Aero International, a BAE joint venture with Aerospaciale of France and Alenia of Italy.

A BAE spokesman said: "While our partner has a one third stake, the bulk of the work will be done in Britain. Hence, the bulk of the \$620 million will come to Britain."

The main assembly plant for the RJ-85 is in Woodford, Greater Manchester, where 1,500 engineers and technicians will work exclusively on the jet aircraft used for short-haul flights.

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Nearly all capital expenditure now has to be part of the PSBR. The last Government planned to privatise all NATS and so raise more than £500 million. But the scheme ran

into union objections and parliamentary timetable problems that led to its abandonment. The new Government wants to get the matter settled by the end of the year.

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## Boeing's income falls as EU veto looms

From a Correspondent in Seattle

BOEING, whose proposed \$14 billion merger with McDonnell Douglas is likely to be vetoed by the European Commission tomorrow, has reported a fall in second-quarter net income to \$399 million (£238 million) from \$468 million.

The world's largest commercial aircraft manufacturer said that comparable results for 1996 benefited from one-off gains of \$176 million. Even so, the latest results fell short of Wall Street expectations, and Boeing shares eased in early trading.

Quarterly sales rose 48 per cent to \$9.29 billion, from \$6.28 billion, as the company lifted commercial aircraft production and expanded its space and missiles business.

Phil Condit, chairman, said that the rapid increase in production resulted in "a substantial increase in employment, material and fabrication demand at the company and its suppliers". High overtime levels and parts shortages caused a "near-term decline in productivity", he added.

Boeing expects to deliver 340 to 350 commercial jetliners this year, up from a previous projection of 340. Last year Boeing delivered just 218 jets as the company reached the end of a long industry downturn.

Boeing expects revenues of \$34 billion this year, excluding sales at McDonnell Douglas, which it plans to acquire in a deal scheduled to close next week, in spite of an expected vote by European regulators to reject it.

The European Commission is expected to block the merger tomorrow, arguing that it will stifle competition in the aerospace industry. Europe also argues that the defence activities of McDonnell Douglas attract huge subsidies from the US Government.

The Commission's determination to block the merger has triggered sharp criticism on the other side of the Atlantic, and President Clinton has said the US may go to the World Trade Organisation or impose sanctions if it happens.

The Commission maintains that the merged company would have a 70 per cent share of worldwide sales of commercial planes, against Boeing's present 64 per cent, and a customer base of 84 per cent, against Boeing's 60 per cent.

## BUSINESS ROUNDUP

### Ladbroke signs \$85m Colorado deal

LADBROKE, the leisure and hotels group, is to buy the Colorado Gaming and Entertainment Company, the Denver-based gaming company for a total of \$85 million (£50 million). Ladbroke is paying \$6.25 for each Colorado Gaming share valuing the company at \$35 million and is assuming around \$50 million of net debt. The proposed transaction is subject to conditions, including completion of definitive documentation and due diligence, and regulatory approvals. It is anticipated that completion will take place in the fourth quarter of this year, or the first quarter of 1998. Colorado Gaming develops, owns and operates gaming and related entertainment facilities, and is the largest casino management company in Colorado. In the year to December 31, it made earnings before interest, depreciation and taxation of \$13.4 million.

### Allied Domecq expands

ALLIED DOMECQ, the drinks group, has bought Togo's, a 200-strong franchised sandwich store chain in California. Allied said the price is not material to its net assets, adding that the value of net assets to be acquired is about £5 million. Togo's will be managed in conjunction with Dunkin' Donuts and Baskin-Robbins. Allied Domecq Retailing's leading food-service brands, Mike Collier, founder and formerly owner of Togo's, will work with ADR on Togo's expansion.

### Adam & Harvey ahead

ADAM & HARVEY, the steel stockholding specialist that trades mainly in Africa and the Far East, reported year-end profits of £5.17 million (£4.55 million) after sharply increasing its exposure to the UK. The improvement was achieved in spite of an 8 per cent slide in sales to £46.8 million in the year to March 31. Overall, earnings were 67.4p (53.6p) a share. A final foreign income dividend of 14.75p, payable on September 5, lifts the total to 27p (24.5p).

### Visual Action purchase

VISUAL ACTION HOLDINGS, the lighting and sound equipment rental group, has doubled its presence in Chicago with the \$21.5 million (£12.9 million) acquisition of Hospitality Resources. By stretching takeover talks over 15 months, it secured a £1.4 million reduction in the original asking price as sterling rose by 10 per cent against the dollar. Hospitality Resources, which services 63 hotels in Illinois, last year made a \$2.6 million profit on sales of \$26.8 million.

### Warning by Crest

CREST PACKAGING yesterday reported an 18 per cent rise in pre-tax profits, but said that it would be hurt by the strong pound. It said: "The pressures created by the increasingly competitive market exacerbated by the current level of sterling against European currencies are considerable." Pre-tax profits rose to £3.8 million (£3.2 million) in the year to April 30. Earnings per share were 8.2p (6.2p). A final dividend of 2.75p, due on September 15, leaves the total unchanged at 4.125p.

### NFC sells cold store

NFC, the transport company, has sold its remaining cold store activities to TDC, a subsidiary of the Transport Development Group, for £11 million cash. NFC, which sold its cold store in Leeds to Nordale Foods for £2.5 million on May 30, said: "The sale of these cold store activities reflects NFC's strategy of focusing upon international logistics and moving services." The company's shares yesterday fell 1p from 137p to 136p.

### TOURIST RATES

Bank	Bank	Bank	Bank
Buy	Sell	Buy	Sell
Australia \$	2.38	2.19	0.699
Austria Sch	22.11	20.48	5.589
Belgium Fr	65.16	60.50	3.775
Canada \$	2.427	2.229	13.01
Cyprus Cyp	0.825	0.858	315.53
Denmark Kr	12.02	11.18	8.36
Finland Mk	6.41	6.85	245.30
France Fr	10.6	9.92	13.82
Germany DM	3.15	3.02	12.72
Greece Dr	467	458	2701.02
Hong Kong \$	10.96	10.58	1.761
Ireland P	127	127	1.628
Ireland P	1.17	1.08	
Israel Sh	0.21	0.2	
Italy Lit	2086	2059	
Japan Yen	208.93	191.40	

Notes for small denomination bank notes issued by Barclays Bank. Other rates apply to broader currencies. Rates as at close of trading yesterday.

## PSIT plc

INVESTORS IN PROPERTY AND SECURITIES

### PROFIT UP INCREASED DIVIDEND


Extracts from the results and from the statement by the Chairman, Mr. A. R. Perry.

- Revenue profit before tax rose from £15.5 million to £16.0 million.
- Net property income up from £22.4 million to £23.2 million.
- New property investments acquired.
- Development programme continuing.
- Group property investments up from £310 million to £337 million.
- All interest written off against revenue.
- Net asset value rose to £1.82 per share.
- Total dividend increased from 6.0p to 6.5p.

### Results for the year ended 31 March 1997

	£000's	1997	1996
Investment property rents	25,353	24,983	
Net property income	23,230	22,399	
Revenue profit before tax	16,018	15,475	
Shareholders' funds	217,565	210,131	
Ordinary dividend per share	6.5p	6.0p	

Copies of the full statement may be obtained from G. H. Calvey, Managing Director, PSIT plc, Fetcham Park House, Lower Road, Fetcham, Surrey, KT22 9HD.

<div>  <div> <div>Please note that, with effect from 22nd July 1997, the following increase in interest rates will apply.</div> </div> </div>			
TYPE ACCOUNT TYPES	GRANDS	GROSS	NET
	£100 (1)	£100	£100
ONE YEAR SHARES			
£1,000 to under £2,500	6.00%	6.00%	6.00%
£2,500 to under £10,000	6.50%	6.50%	6.50%
£10,000 to under £20,000	6.75%	6.75%	6.75%
£20,000 to under £50,000	6.80%	6.80%	6.80%
£50,000 to under £100,000	7.00%	7.00%	7.00%
TESA CHOICE 90 DAYS NOTICE			
	7.00%	7.00%	N/A
OLYMPIUS SHARES			
£2,500 to under £5,000	6.00%	6.00%	6.00%
£5,000 to under £10,000	6.20%	6.20%	6.20%
£10,000 to under £20,000	6.50%	6.50%	6.50%
£20,000 to under £50,000	6.60%	6.60%	6.60%
£50,000 to under £100,000	6.75%	6.75%	6.75%
REGENT/REGAL			
£500 to under £2,500	5.25%	5.25%	5.25%
£2,500 to under £5,000	5.50%	5.50%	5.50%
£5,000 to under £10,000	5.75%	5.75%	5.75%
£10,000 to under £20,000	5.80%	5.80%	5.80%
£20,000 to under £50,000	6.00%	6.00%	6.00%
£50,000 to under £100,000	6.25%	6.25%	6.25%
VOYANT SHARES			
£500 to under £2,500	5.25%	5.25%	5.25%
£2,500 to under £5,000	5.50%	5.50%	5.50%
£5,000 to under £10,000	5.75%	5.75%	5.75%
£10,000 to under £20,000	5.80%	5.80%	5.80%
£20,000 to under £50,000	6.00%	6.00%	6.00%
£50,000 to under £100,000	6.25%	6.25%	6.25%
FOLLOW-UP TESA			
£500 to under £2,500	5.25%	5.25%	5.25%
£2,500 to under £5,000	5.50%	5.50%	5.50%
£5,000 to under £10,000	5.75%	5.75%	N/A
ISSUES CLOSED FOR NEW ACCOUNTS			
ORDINARY			
£500 to under £2,500	5.25%	5.25%	5.25%
£2,500 to under £5,000	5.50%	5.50%	5.50%
£5,000 to under £10,000	5.75%	5.75%	5.75%
£10,000 to under £20,000	5.80%	5.80%	5.80%
£20,000 to under £50,000	6.00%	6.00%	6.00%
£50,000 to under £100,000	6.25%	6.25%	6.25%
REGULAR			
£500 to under £2,500	5.25%	5.25%	5.25%
£2,500 to under £5,000	5.50%	5.50%	5.50%
£5,000 to under £10,000	5.75%	5.75%	5.75%
£10,000 to under £20,000	5.80%	5.80%	5.80%
£20,000 to under £50,000	6.00%	6.00%	6.00%
£50,000 to under £100,000	6.25%	6.25%	6.25%
TWO YEAR A/C (30 days notice)			
Balance under £500	7.15%	7.15%	0.92%
£500 to under £2,500	6.30%	6.30%	1.94%
£2,500 to under £5,000	6.15%	6.15%	2.47%
£5,000 to under £10,000	6.10%	6.10%	2.88%
£10,000 to under £20,000	6.05%	6.05%	3.41%
£20,000 up to £50,000	6.10%	6.10%	3.65%
PREMIUM			
£500 to under £2,500	7.25%	7.25%	1.93%
£2,500 to under £5,000	6.45%	6.45%	2.50%
£5,000 to under £10,000	6.30%	6.30%	3.09%
£10,000 to under £20,000	6.40%	6.40%	3.37%
£20,000 to under £50,000	6.55%	6.55%	4.07%
£50,000 to under £100,000	6.50%	6.50%	4.28%
£100,000 up to £200,000	6.90%	6.90%	4.68%
HIGH YIELD			
£500 to under £2,500	5.60%	5.60%	2.66%
£2,500 up to £10,000	5.80%	5.80%	2.30%
MAGNUM			
£500 to under £2,500	7.10%	7.10%	2.17%
£2,500 to under £5,000	6.85%	6.85%	2.96%
£5,000 to under £10,000	6.90%	6.90%	2.70%
£10,000 to under £20,000	7.05%	7.05%	2.94%
£20,000 up to £50,000	6.40%	6.40%	3.45%
THRIFTY			
£500 to under £2,500	6.05%	6.05%	2.72%
£2,500 to under £5,000	6.30%	6.30%	2.40%
£5,000 to under £10,000	6.55%	6.55%	2.80%
£10,000 to under £20,000	6.45%	6.45%	3.29%
£20,000 to under £50,000	6.95%	6.95%	3.91%
£50,000 up to £200,000	6.70%	6.60%	4.50%
TESA CHOICE 90 DAYS NOTICE			
	6.50%	6.50%	N/A
TESA CHOICE 90 DAYS NOTICE			
Balance under £1,000	6.30%	6.30%	1.94%
£1,000 and over	6.30%	6.30%	5.04%
£5,000 and over	6.30%	6.30%	5.05%
£10,000 and over	6.30%	6.30%	5.06%
VOYANT SHARES			
£500 to under £7,500	6.00%	6.00%	4.02%
£7,500 to under £15,000	6.30%	6.30%	4.72%
£15,000 to under £30,000	6.25%	6.25%	3.40%
£30,000 to under £50,000	6.00%	6.00%	4.02%
£50,000 to under £100,000	5.95%	5.95%	4.48%
£100,000 up to £200,000	6.05%	6.05%	5.02%
DEPOSITS			
£500 to £15,000	0.25%	0.25%	0.25%
<div> <div>Please note: Interest rates are subject to variations.</div> <div> <div>* Depositors receive 1% interest on all deposits.</div> <div> <div>† Interest on all deposits is 12% or 10% or 8% or 7% or 6% or 5% or 4% or 3% or 2% or 1% or 0.5% or 0.25% or 0.1% or 0.05% or 0.025% or 0.01% or 0.005% or 0.0025% or 0.001% or 0.0005% or 0.00025% or 0.0001% or 0.00005% or 0.000025% or 0.00001% or 0.000005% or 0.0000025% or 0.000001% or 0.0000005% or 0.00000025% or 0.0000001% or 0.00000005% or 0.000000025% or 0.00000001% or 0.000000005% or 0.0000000025% or 0.000000001% or 0.0000000005% or 0.00000000025% or 0.0000000001% or 0.00000000005% or 0.000000000025% or 0.00000000001% or 0.000000000005% or 0.0000000000025% or 0.000000000001% or 0.0000000000005% or 0.00000000000025% or 0.0000000000001% or 0.00000000000005% or 0.000000000000025% or 0.00000000000001% or 0.000000000000005% or 0.0000000000000025% or 0.000000000000001% or 0.0000000000000005% or 0.00000000000000025% or 0.0000000000000001% or 0.00000000000000005% or 0.000000000000000025% or 0.00000000000000001% or 0.000000000000000005% or 0.0000000000000000025% or 0.000000000000000001% or 0.0000000000000000005% or 0.00000000000000000025% or 0.0000000000000000001% or 0.00000000000000000005% or 0.000000000000000000025% or 0.00000000000000000001% or 0.000000000000000000005% or 0.0000000000000000000025% or 0.000000000000000000001% or 0.0000000000000000000005% or 0.00000000000000000000025% or 0.0000000000000000000001% or 0.00000000000000000000005% or 0.000000000000000000000025% or 0.00000000000000000000001% or 0.000000000000000000000005% or 0.0000000000000000000000025% or 0.000000000000000000000001% or 0.0000000000000000000000005% or 0.00000000000000000000000025% or 0.0000000000000000000000001% or 0.00000000000000000000000005% or 0.000000000000000000000000025% or 0.00000000000000000000000001% or 0.000000000000000000000000005% or 0.0000000000000000000000000025% or 0.000000000000000000000000001% or 0.0000000000000000000000000005% or 0.00000000000000000000000000025% or 0.0000000000000000000000000001% or 0.00000000000000000000000000005% or 0.000000000000000000000000000025% or 0.00000000000000000000000000001% or 0.000000000000000000000000000005% or 0.0000000000000000000000000000025% or 0.000000000000000000000000000001% or 0.0000000000000000000000000000005% or 0.00000000000000000000000000000025% or 0.0000000000000000000000000000001% or 0.00000000000000000000000000000005% or 0.000000000000000000000000000000025% or 0.00000000000000000000000000000001% or 0.000000000000000000000000000000005% or 0.0000000000000000000000000000000025% or 0.000000000000000000000000000000001% or 0.0000000000000000000000000000000005% or 0.00000000000000000000000000000000025% or 0.0000000000000000000000000000000001% or 0.00000000000000000000000000000000005% or 0.000000000000000000000000000000000025% or 0.00000000000000000000000000000000001% or 0.000000000000000000000000000000000005% or 0.0000000000000000000000000000000000025% or 0.000000000000000000000000000000000001% or 0.0000000000000000000000000000000000005% or 0.00000000000000000000000000000000000025% or 0.0000000000000000000000000000000000001% or 0.00000000000000000000000000000000000005% or 0.000000000000000000000000000000000000025% or 0.00000000000000000000000000000000000001% or 0.000000000000000000000000000000000000005% or 0.0000000000000000000000000000000000000025% or 0.000000000000000000000000000000000000001% or 0.0000000000000000000000000000000000000005% or 0.00000000000000000000000000000000000000025% or 0.0000000000000000000000000000000000000001% or 0.005% or 0.0025% or 0.001% or 0.0005% or 0.00025% or 0.0001% or 0.005% or 0.0025% or 0.001% or 0.0005% or 0.00025% or 0.0001% or 0.005% or 0.0025% or 0.001% or 0.0005% or 0.00025% or 0.0001% or 0.005% or 0.0025% or 0.001% or 0.0005% or 0.00025% or 0.0001% or 0.005% or 0.0025% or 0.001% or 0.0005% or 0.00025% or 0.0001% or 0.005% or 0.0025% or 0.001% or 0.0005% or 0.00025% or 0.0001% or 0.005% or 0.0025% or 0.001% or 0.0005% or 0.00025% or 0.0001% or 0.005% or 0.0025% or 0.001% or 0.0005% or 0.00025% or 0.0001% or 0.005% or 0.0025% or 0.001% or 0.0005% or 0.00025% or 0.0001% or 0.005% or 0.00025% or 0.0001% or 0.005% or 0.0025% or 0.0001% or 0.005% or 0.0025% or 0.0001% or 0.005% or 0.0025% or 0.0001% or 0.005% or 0.0025% or 0.0001% or 0.005% or 0.000000000000000000000000000000000000000</div></div></div></div>			



# Time to open a new account



COMMENTARY  
by our City Editor

NatWest Group takes only two weeks to make £77 million of profit. So the losses that came from mispricing options at NatWest Markets are hardly a disaster. Why then is this incident threatening the independent future of one of the UK's pre-eminent financial institutions — an institution that leads the market for small business lending, is second in personal lending and last year made a mouth-watering 17 per cent return on capital? The answer, because Lord Alexander of Weedon and Derek Wanless are letting it happen.

The chairman and chief executive of NatWest are keen to keep their strategy for the group and its troubled investment bank under wraps until the interim results announcement on August 5. But unfortunately life is not like this. If they were running a small engineering company and they were in merger talks with a rival, one would expect the classic statement: "Blotchy Industries is in talks which may lead to an offer for the company." So how come NatWest can hold merger talks, first with Abbey National and then Prudential Corporation, without shareholders being informed? This might be a question for the Stock Exchange, the Takeover Panel and NatWest's advisers, which happen to be NatWest Markets and Cazenove & Co.

Mr Wanless believes that the consolidation of the financial

services market is inevitable and that the group has to explore all possibilities that might enhance shareholder value. Yet he allowed Clerical Medical and Scottish Amicable to slip through his hands, saying they were too expensive when the market was 10 per cent cheaper than it is today. NatWest has let the crisis at NatWest Markets to turn it from a predator to a target. It needs to address this quickly.

So what will it do on August 5? Well, it will not announce a new boss for NatWest Markets. It will not announce a new strategy for NatWest Markets. And it will not announce that it is selling NatWest Markets. It will say, NatWest Markets in its various forms has never delivered a decent return on capital and we don't know how to make more money. So we are going to reduce the capital in the business by £1 billion and move the bits that we understand, like corporate lending, back into the main bank.

This strategy is not without merit. The few commercial banks that own investment banks tend to give them too much capital, which is tantamount to giving someone enough rope to hang themselves with. But the likes of Citibank have

learned the hard way that being a good commercial bank and having a good treasury operation does not make you a good investment bank.

NatWest should stop messing around with NatWest Markets and sell out. This would free up not £1 billion but £3 billion of capital, which could be put towards buying itself a life company or a building society. It is time for NatWest to play to its strengths, not its weaknesses.

## A life of Brian at Nationwide

I f the board of the Nationwide Building Society needed inspiration in its fight against the "members for conversion" campaign, it could do worse than turn to Cicero's proverb "Thrift is a great revenue". It certainly sums up Nationwide's argument more clearly than Brian Davis has. The Nationwide chief exec-

utive's line that maintaining mutuality means that the society can offer better savings and mortgage rates than the banks is not convincing many savers and mortgagors.

Applying simple mathematics to the equation shows that Nationwide might offer an extra 0.25 per cent less on your mortgage. But a saver with, say, £10,000 in the Nationwide would have to wait more than 40 years for it to be worth giving up a £1,000 windfall. In the long term, it is better to remain mutual. But as John Maynard Keynes said, in a phrase which could be used by the pro-conversion lobby: "In the long term we're all dead."

Accordingly the Nationwide is preparing itself for an embarrassing defeat, bringing forward the announcement of the bad news to tomorrow so that it can have an extra day to explain what it is going to do. Unless a lightning flash of inspiration hits

Swindon, the strategic vision Nationwide will put forward is likely to make Lord Alexander look like Alexander the Great.

Mr Davis is in a terrible bind. He has pinned his flag to the mast of mutuality, and has argued his case strongly behind closed doors, persuading a board that includes three current or former merchant bankers that the City does not know what it is talking about. The City, for its part, is hardly going to swallow Mr Davis having a Pauline conversion on the road to flotation. He is not the man to take Nationwide Bank to the stock market and he knows it.

So what happens to Nationwide? It cannot be floated without a new chief executive. And what do you do about the rest of the board? Do you have a Maoist denunciation of Mr Davis, with directors saying: "I always wanted to convert. I was merely led astray by Brian?" Do you allow anti-floatation executives to

lead a float? Or do you have a wholesale clear out?

Or do you merely put a big "for sale" sign on the society. Goldman Sachs has told the Nationwide board it is worth £7 billion. Given the Woolwich is valued at nearly £5 billion this is not excessive price to pay for the Nationwide. The NatWest should buy it.

## Sir Desmond gets careless

C rudely, the sacking of Brian Staples, chief executive of United Utilities, has so far cost shareholders £370 million, thanks to the group's tumbling share price. Investors oblivious to the annoyance Mr Staples was causing his boardroom colleagues and their shortage of up-to-date information, thought he did a good job on the utility side. Despite assurances, some now fear UU's Bangkok write-offs might not be the last among overseas ventures.

The presence of Mr Staples, who is 52, also gave the group a seemingly smooth management succession. Derek Green, UU's nuts and bolts utility boss, was on the verge of retirement. Sir

Desmond Pitcher, the patriarchal executive chairman to whom Mr Staples reported, is already 62. But Mr Staples has had to make way for older men, both now to retire in 2000.

Sir Desmond recruited Mr Staples to rethink strategy. The previous sacked chief executive was not getting on with the water regulator, let alone all his finance directors. This time, no change of strategy is planned.

For shareholders, the crucial element is the board's pledge to raise dividends by 11 per cent a year in real terms until 2000. The company insists that this pledge holds, though it looks harder to meet than a year ago.

Credibility is another matter. If it was non-executive directors, led by the formidable Sir Peter Middleton, who reckoned Mr Staples was not keeping them up to date, what was the executive chairman doing?

## In the pits

IT IS hard to feel sorry for Bernie Ecclestone. But the overpaid head of Formula One has become a victim of City in-fighting, with a fistful of bankers and a bunch of team owners jockeying for position. The longer this goes on, the lower the headline value of Formula One drops and the further away the flotation recedes. Now it seems that by trying to crystallise the value of Formula One, Ecclestone is in danger of destroying it.

# Sketchley passes dividend as loss deepens to £4.3m

By SARAH CUNNINGHAM, RETAIL CORRESPONDENT

SKETCHLEY, the dry cleaning and business services group, yesterday reported a £4.3 million pre-tax loss resulting from an accounting hole of more than £10 million uncovered earlier this year.

David Davies, chairman, said the loss was "disappointing in the extreme". The group will not pay a final dividend.

John Jackson, chief executive, is planning a series of meetings with institutional investors in the next two days. He said that he has come under pressure to quit, but the company is believed to be considering changes to its four non-executive directors, all of whom — including Mr Davies — sit on the audit committee.

Richard Meyers, the finance director, left the company after the accounting errors were discovered. He received a pay-off of about £60,000.

Sketchley had been expected to make a profit of £8.2 million in the year to March 31. A year earlier it lost £3.49 million.

Yesterday the company

gave details of a £5.1 million exceptional charge, mainly to cover a shortfall in rent on property that has been sublet to third parties. There is also an adjustment of £4.8 million for the retail division to cover overstated stock valuations, understated property costs and the write-off of unsupported debtors and deferred costs.

Pushing the company further into the red were sums of £500,000 for reorganisation and start-up costs in the textile services division and £1.3 million for professional fees and other costs.

Mr Jackson defended his own role in the affair. "It is not my job to check the book-keeping of the finance director," he said.

After a similar occurrence at the company in 1990, Mr Meyers left the board. He returned to the board in 1994, a few months before Mr Jackson joined the company.

The company is searching for a new finance director, and also intends to appoint a

separate finance director of the retail division.

The retail division, consisting of Sketchleys dry cleaners and SupaSnaps photographic shops, made an operating loss, after breaking even a year ago.

The business services division, consisting of ARM, the maintenance services provider bought earlier this year for £29 million, and a textiles services business, made an operating profit of £6.3 million, compared with £6.9 million, after costs of £500,000 for new plant openings.

Group debt rose to £40 million, giving gearing of 139 per cent. As a result, the group, which paid a final dividend last year of 2.4p, is paying nothing this time round. Mr Jackson said that investment this year has been cut from £8 million to £6 million as part of a plan to reduce borrowings.

The shares fell 1 1/2 p to 60p.

Times, page 28



John Jackson, who has come under pressure to resign as Sketchley's chief executive, is to meet institutional investors

## Signet sees strong advance in sales

By OUR RETAIL CORRESPONDENT

SIGNET, the jewellery group, reported strong growth in sales at its Ernest Jones chain of shops and in the US, but cautioned that a further rise in UK interest rates could yet lead to a slowdown in the domestic market.

The company's capital restructuring, agreed by shareholders last month, came into effect yesterday. The ordinary 10p shares and four classes of preference shares have been converted into new ordinary shares of 0.5p each. All arrears of preference share dividends are now cancelled.

James McAdam, chairman, said that in the 23 weeks to July 12, Ernest Jones like-for-like sales had risen 7.2 per cent, while H Samuel had seen sales rise 1.4 per cent. In the US, sales increased 9 per cent. He said the company must focus on further improving its operating performance.

John Gillum, 69, is to step down as deputy chairman and non-executive director. David Supino, 63, of Lazard Freres, the merchant bank, has been appointed a non-executive director with immediate effect.

## AT&T struggle weakens BT line

By PAUL DURMAN

SHARES in British Telecom continued to slide yesterday as AT&T, the US telephone group, provided more evidence that local markets in the US are hard to break into.

Like MCI Communications, the American long-distance carrier with which BT plans to merge, AT&T has incurred heavy costs in building up its

local business. The problems cut more than \$500 million from AT&T's second-quarter earnings, leaving first-half net income down from \$2.85 billion to \$2.1 billion. AT&T last week parted company with John Walter, brought in last year to become chief executive. Since MCI stunned the market this month by warning

that \$1.6 billion (£950 million) of losses will be incurred on local business over the next two years, BT's shares have fallen from 477 1/2 p to 415 1/2 p, dropping a further 14 1/2 p yesterday. This means BT has lost £4 billion of stock market value in less than two weeks. Yesterday was also the first opportunity BT's shares had

to react to a US court ruling on Friday that means it will be more difficult for MCI to win local business. A federal appeals court in St Louis ruled that the Federal Communications Commission lacked the power to set the reference prices for local telephone calls, dashing hopes of greater competition.

## BA canvasses City for morale-booster

By JON ASHWORTH

BRITISH AIRWAYS has been canvassing support among City analysts and institutions in the wake of last week's damaging industrial dispute.

Derek Stevens, BA's chief financial officer, has contacted BA's main investors, including Mercury Asset Management, in an attempt to deflect criticism aimed at Bob Ayling, the BA chief executive. There have been reports of growing unease among investors in the face of "macho management" tactics, including firing of picket lines and the threat to sue or sack strikers.

Mr Stevens said City institutions were "fully supportive", but conceded that morale within BA was at a low ebb. Various strategies are planned

to improve relations with cabin crew, but details have yet to be disclosed.

BA said it was "actively considering" how best to improve morale, while preserving the savings achieved under Mr Ayling's business efficiency programme. BA says it needs to find annual cost savings of £1 billion if it hopes to remain competitive.

The announcement of a possible link-up with Iberia, the Spanish national carrier, has been greeted with suspicion by BA staff, who view the move as a diversionary tactic. BA said yesterday it was keen to pursue discussions with the Transport and General Workers Union in the hope of preventing further disruption.

## Courtaulds close to deal over patent

COURTAULDS is in advanced talks with Lenzing, the Austrian fibres manufacturer, aimed at resolving a protracted patent dispute over the development of Tencel, its wonder fibre (Martin Barrow writes).

The UK chemicals company disclosed yesterday that significant progress had been made in negotiations and an out-of-court settlement is in prospect. Any agreement is likely to involve a cross-licensing deal that would probably enable each company to continue to use its own lyocell technology.

Lyocell is a man-made fibre that Courtaulds produces under the Tencel brand name. Courtaulds shares fell 7p to 307 1/2 p yesterday.

## Lotteryking chiefs waive pay for year

By JON ASHWORTH

TWO senior executives at Lotteryking Holdings, which makes gaming-related products, have agreed to work for nothing for the next year, after unveiling a steep decline in profits.

Alan Stack, the chairman, and his brother Barry, director of new products, have waived remuneration of £55,000 each in the 12 months to July 1998.

Lotteryking, which is quoted on the Alternative Investment Market (AIM), made a pre-tax profit of £4,000 (£265,000) in the year to end-April, on turnover up 21 per cent to £1.7 million. There is no dividend (nil). The shares were unchanged at 1.5p yesterday.

Lotteryking ran into problems when the Gaming Board questioned the legality of a game that it had launched in public houses and shops. The game was withdrawn in spite of "considerable" investment in resources and management time. The company is seeking to recover some of the investment.

The number of gaming machine installations fell below target during the year. As a result, the company's core product, Play and Win, distributed in private members' clubs, contributed less profit than had been expected.

Lotteryking is studying developments concerning Keno, a bingo-style game, which is set to rival the National Lottery.

## The RBS Advanta Card Notice to Cardholders of Interest Change

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## STOCK MARKET



MICHAEL CLARK

# Speculators keep up their watch on financial sector

CITY speculators are continuing to keep a close eye on the financial sector, convinced that the finishing touches are being applied to a big corporate deal.

Top of the list yesterday was Commercial Union, which rose 11p to 694p, in a falling market, ahead of new business figures today for the first six months. It is on record as saying that it would be better to cut costs rather than grow new business. This has led to suggestions that a link-up with the financial services arm of BAT Industries, 3p higher at 317p, might still be on the cards.

The two sides broke off talks last year. But market-watchers say BAT may demerge its financial arm, including Eagle Star, Farmers in the US and Allied Dunbar, as a prelude to a merger with CU, which is currently trading well below its 750p peak for the year. There has also been talk of an all-out bid for CU from ABN Amro, the Dutch bank.

NatWest Bank touched 845p before putting in a late spurt to end the day just 7p easier at 859p. Talks with the Prudential Corporation, down 25p at 561p, broke down last week, but speculation is mounting that they could be on again soon. Merger talks between Abbey National, down 21p at 811p, and NatWest broke down earlier this year.

The fallout from Friday's futures-related sell-off on both sides of the Atlantic continued in London yesterday although prices closed above 80 points at one stage, closed 71.5 off at -4.80% after an uncertain start to trading in New York where investors are anxiously awaiting testimony to Congress on the economy from Alan Greenspan, chairman of the Federal Reserve Board.

There were further signs that investors have begun switching into second-liners in the belief that leading shares are starting to look overvalued. This was borne out by the FTSE 250, which closed just 30.0 down at 4,464.1.

A program had been believed to have been carried out by Merrill Lynch last week switched out of the top 100 and into the 250 constituents. Total turnover of 1.3 billion shares was swollen by heavy trading in Thors as the price firmed 1p to 165p. SBC Warburg, the

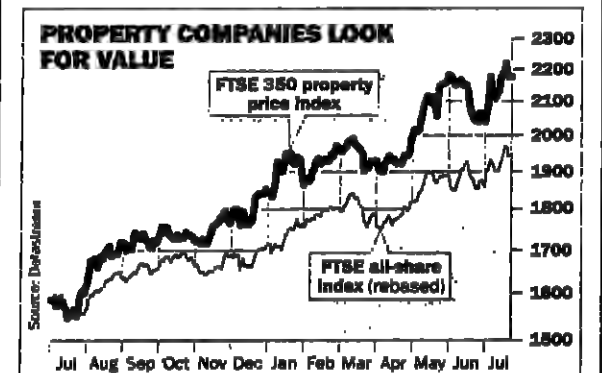


Securicor fell 2 1/2p to 257p ahead of a visit by analysts

broker, has been buying back the new "B" shares at 30p. They were issued as part of the group's capital reorganisation to enhance shareholder value. A total of 344.8 million shares, or almost 80 per cent, were sold back to the company.

BT remained weak, falling 14p to 415p as the City continued to express concern about the price being paid for MCL. Securicor fell 2 1/2p to

257p ahead of a visit by analysts on Friday to obtain a "greater understanding of the group's capital reorganisation to enhance shareholder value. A total of 344.8 million shares, or almost 80 per cent, were sold back to the company.



BRITISH LAND fell 12 1/2p to 611p after going ex dividend, and Land Securities 2 1/2p to 925p after Credit Lyonnais Laing, the broker, removed the shares from its "buy" list and put them on "hold".

"It's nothing sinister", says Selwyn Jones, at Laing. "These are the two sector leaders and we have been buyers for the past 18 months."

"They are the best managed companies in the property sector. Their premium rating has gone for as long as the time being, especially since the Budget."

and we have merely put them back on hold." Mr Jones admits that in spite of talk of a revival in the property sector, it is difficult to find value. He said: "If I had to look elsewhere, I would probably choose Burford. The shares have been significantly derated, especially since the Trocadero acquisition." He maintains that the downside in the shares is nil.

Burford rose 4p to 116 1/2p yesterday after announcing the sale of a 38,500 sq ft retail investment to Scottish Mutual for £10 million.

those of Guinness, 5p off at 607p. If they do not agree M Arnault, who has now left the Guinness board, has threatened to block their £21 billion proposed merger.

As speculation mounted that Tesco is about to launch its own credit card, the shares fell 7 1/2p to 421p. The boardroom rift at United Utilities left it nursing a fall of 69p to 699p. Brian Staples, chief executive, walked out after a vote of no confidence by the rest of the board. Current trading was below expectation.

Tele-Cine Group rallied 5p to 354p in the wake of last week's profits warning, but there was no such luck for Neesden, down 7p at 31p, after becoming the latest company to warn about the effects of a strong pound on profits. Johnson Matthey retorted 4 1/2p to 575p in spite of encouraging comments from Charterhouse Tilney, the broker. It says a new growth phase is under way. Precious metals remains sound and catalytic systems is recovering while Cookson Manthey ceramics will improve next year. But keep an eye on the electronic materials side, which is set to become the biggest contributor to profits.

A recommendation from Killik & Co, the broker, lifted Robert Walters 20p to 241p. The employment services group specialises in finding jobs for people in the financial services market. Paul Kavanagh, of Killik, says that the group should be benefiting from the heavy corporate activity and restructuring in the sector at present.

□ GILT-EDGED: Prices drifted lower for much of the day, with investors keeping an anxious eye on events in Washington before Mr Greenspan's testimony. Dealers reported minimal buying pressure ahead of Wednesday's £2 billion auction.

In the futures pit, the September series of the Long Gilt finished 5 1/2p lower at £114 1/2 as the total number of contracts completed slumped to 31,000. In longs, benchmark Treasury 8 per cent 2015 lost £ 1/2 at £110 1/2, while at the shorter end, Treasury 3 per cent 2000 was down 1/2 at £102 1/2.

□ NEW YORK: Wall Street shares were weak amid profit-taking. At midday, the Dow Jones industrial average was down 3.02 points at 7,893.48.

## MAJOR INDICES

New York (midday):  
Dow Jones 7893.48 (-3.02)  
S&P Composite 913.00 (-2.30)

Tokyo:  
Nikkei Average Closed

Hong Kong:  
Hang Seng 15536.30 (-34.10)

Amsterdam:  
60E Index 931.34 (-10.49)

Sydney:  
AO 2653.40 (-30.80)

Frankfurt:  
DAX 4106.40 (-88.17)

Singapore:  
Straits 1990.75 (+26.52)

Brussels:  
General Closed

Paris:  
CAC-40 2874.12 (-2.57)

Zurich:  
SIX Gen 1165.10 (-19.00)

London:  
FTSE 100 4464.1 (-44.2)

FTSE 250 4464.1 (-44.2)

FTSE 350 2304.6 (-29.0)

FTSE All-Share 2256.4 (-27.6)

FTSE Non Financials 2295.7 (name)

FTSE Financials 125.76 (+0.33)

FTSE Govt Sec 86.02 (+0.16)

Bargains 49958

SEAQ Volume 1363.6m

US\$ 1.641 (+0.0038)

German Mark 1.0144 (+0.0154)

Exchange Index 1052.0 (+0.6)

Bank of England official c/w (4pm)

1.50R 1.2158

RPI 197.5 Jun 92 (94) Jan 1997-100

RPIX 196.7 Jun 92 (74) Jan 1997-100

RECENT ISSUES

Ashbourne 135% - 3

Camell Laird 112% - 25

Deleum 267% -

EMI 115 -

European Mng 25 -

Galen Holdings 195% -

Grosmont Hldgs 2% -

Hellon Hldgs Wms 1% -

Helicon Publs 113% - 9

Hitachi Credit (UK) 100% -

Princent 130% -

Plymouth 59 - 14

Reaume Merlins 108% - 4

Royalblue Group 208% -

SBS Group 100% -

Thorn 21% -

Woolwich 293% - 5

RIGHTS ISSUES

Brit Borneo Syn 98% - 1

HIT Enter n/p (270) 55 - 10

Jarvis Fund Uts CV n/p 39% -

Lon Brd Str CV n/p 39% -

Mackie Int n/p (20) 1% - 24

Tea Plant n/p (120) 3 - 4 1/4

MAJOR CHANGES

RUSSEL: Robert Walters 241p (+20p)

Adam & Harvey 335p (+22p)

Powar 281p (+18p)

Sketchley 737p (+17p)

More Grp 755p (+59p)

FALLS: Euro Daney 78p (-8p)

Innovative Tech 270p (-50p)

Netherland 176p (-8p)

Robson 180p (-8p)

Barr & Wall 328p (-15p)

Heaphra Gp 184p (-8p)

Alfred Irish 503p (-18p)

Royal & Sun AI 480p (-17p)

Grand Chart 980p (-35p)

Gencor 244p (-18p)

Lloyds TSB 565p (-18p)

Abbey NI 841p (-21p)

Bank of Ireland 723p (-18p)

Closing Prices Page 31

## Too fast for comfort?

LONDON investors will welcome a second serious mining stock on the equity lists. Billiton has worked long and hard to get its listing but the company is still essentially a South African business. The bulk of the assets, including the Hillside aluminium smelter and Richards Bay Minerals, are based in South Africa, a bias that offers Billiton investors cost advantages but also a large exposure to the South African economy.

Selling metals prices in dollars while paying overheads in a depreciating South African rand, Billiton should be experiencing margin gains. That gives the company a temporary boost as does the aluminium price which affects about 40 per cent of the business. Aluminium's strong recovery has been the making of Billiton; Gencor bought the business from Shell two years ago when

the price was \$1,200 per tonne compared with yesterday's cash price of \$1,585. And the outlook is positive: aluminium for delivery in 15 months is \$1,640 per tonne.

Yet there are unanswered questions about Billiton. It is in a remarkable hurry; investors are being provided with only audited nine-month profits to March. Why not wait for full-year figures? Likewise, the curious need for it to become liquid as its business approaches a cyclical peak. Billiton is cutting its gearing to nil and raising £1 billion with the aim of ploughing some of that money into highly sought-after Latin American privatisations. Billiton's management has shown some financial and political skill getting this far, but the shares are to be sold on a high rating, similar to Rio Tinto. Investors might question whether they have earned it yet.

## Sketchley

SKETCHLEY's shareholders have found their investment full of holes after treatment by the dry cleaner. If they were customers, they might expect compensation and an explanation but Sketchley is proving inadequate on both fronts after discovering a hole in the books.

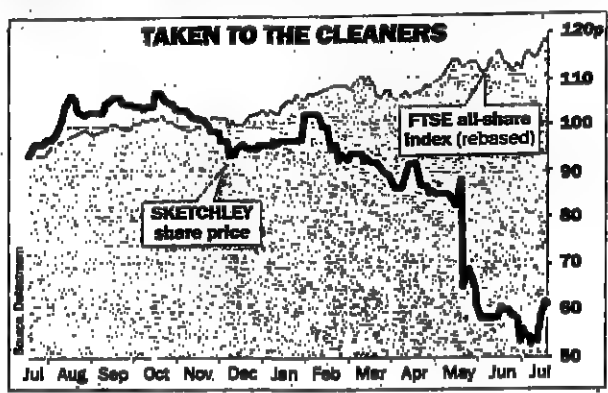
The chairman, spoke of accounting errors and deficiencies and gave a breakdown of how much money was involved and where the problems occurred. These include overvaluation of stocks, undervaluation of property costs and deferred costs. An exceptional charge, mainly relating to subletting shops at a loss, is also reported.

Sketchley was fulsome in describing what went wrong but less helpful in explaining why and, in particular, how

the audit committee allowed it to happen. Nor does it constitute an adequate explanation for a forecast pre-tax profit of £8.2 million turning into a loss of £4.33 million.

While the company is now concentrating on its ARM maintenance services company and its textile services business, it clearly has to address serious problems at

its Sketchley and SupaSnaps retail division. Subletting shops has proved very expensive and selling the whole division must look attractive, but, after the accounting debacle, potential buyers are bound to be wary. Any dry cleaner that treated your coat with the same disregard would be shunned. Do likewise.



## Signet

SIGNET is now past a joke. It has become a serious company and could soon attract the real attentions of investors, both small and large. The restructuring under its belt, Signet has removed the distraction of the claims of the preference shareholders and can eventually pay a dividend. But the more interesting question is that it offers investors the chance to look at a company whose underlying business is growing nicely.

After the conversion of prets into equity, Signet becomes a retailer of some size, valued at about £500 million with operating income last year of £76 million on £900 million of sales. Profits soared thanks to the cost-cutting in the US jewellery chain and refurbishment of Ernest Jones in the UK. The improvement in the company's top line, shown with yesterday's sales figures - organic

growth of 9 per cent in the US and 7 per cent at Ernest Jones. Only H Samuel is the laggard, but a £20 million store refurbishment programme should bring it up to scratch in due course.

Signet is being brought back to life in time to catch the high street recovery and the fall in the gold price which normally has the effect of stimulating jewellery consumption. But the risk for Signet is that it will be snapped up by another cash-rich retailer, such as Argos or GUS. The company is valued at only six times its operating profit, hardly expensive for a growing business. If you can buy almost £1 of Signet's shares for about 50p, there will be more than one interested purchaser.

## Cox

THE LLOYD'S insurance market is becoming less profitable because the play-

ers are becoming more aggressive. Lloyd's corporate capital vehicles will pay the first dividend on their underwriting profits this year and many of the Lloyd's vehicles are now seeking more control of the market. Cox, which runs a number of Lloyd's syndicates and invests its own funds in the market wants to buy out the individual members.

Syndicate capacity has been traded in auctions already but no one has yet put up quite the price Cox is offering. Last June the nuclear risks syndicate was priced at about 18p in the pound but members are now being offered 40p and could ask for more.

The high price relates to the high anticipated returns. 1176 scored a return of 56 per cent in 1993 but Cox's bid could put a tender box under this market and spur other Lloyd's vehicles into action.

EDITED BY CARL MORTISHED

## COMMODITIES

LIFE

COPPER

SILVER

GOLD

NATURAL GAS

CRUDE OIL

WHEAT

CORN

SOYBEANS

CATTLE

PORK

HOGS

CHICKEN

EGGS

MILK

BUTTER

CHEESE

LARD

TALLOW

SUGAR

COFFEE

TEA

SPICES

HONEY

WAX

RESIN

GLASS

PAPER

TEXTILES

LEATHER

FUR

JEWELLERY

WATCHES

CLOCKWORK

ELECTRONICS

MACHINERY

VEHICLES

AIRCRAFT

SHIPS

RAILS

## LIFE

COPPER

SILVER

GOLD

NATURAL GAS

CRUDE OIL

WHEAT

CORN

SOYBEANS

CATTLE

PORK

HOGS

CHICKEN

EGGS

MILK

BUTTER

CHEESE

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TALLOW

SUGAR

COFFEE

TEA

SPICES

HONEY

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RESIN

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TEXTILES

LEATHER

FUR

JEWELLERY

WATCHES

CLOCKWORK

ELECTRONICS

MACHINERY

VEHICLES

AIRCRAFT

SHIPS

RAILS

## LONDON FINANCIAL FUTURES

Long Gilt

German Govt Bond (Bund)

Italian Govt Bond (BTP)

Japanese Govt Bond (JGB)

Three Mth Sterling

Three Mth Eurodollar

Three Mth Euribor

Three Mth Euribor

Three Mth Euribor

Three Mth Euribor

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# French miss brings Gallic flair to economic sleight of hand

Deficit will exceed Maastricht rules but will be in line with projections for Germany, says Alasdair Murray

You could almost see the Gallic shrug with which European markets greeted the French Government's budget audit yesterday. Most European stock markets fell, but traders eyes were fixed on a nervous Wall Street. On the foreign exchanges, potential EMU currencies drifted only slightly as traders concentrated on the far more exciting prospect of their summer holidays.

The Budget audit merely confirmed what most economists already knew — that the French Government would miss the magic 3 per cent Budget deficit by a wide margin this year. The markets concluded that little surrounding the EMU project had really changed and a broad single currency remains tentatively on course.

But the dynamics of the single currency have subtly altered since the French Socialists swept into power in May on a tide of public discontent borne of austerity measures introduced to help France to meet the Maastricht criteria.

The new Government had adopted a Eurosceptical tone in opposition and made it clear that it regarded employment and economic refutation as far more important than meeting the Maastricht budget deficit criteria. Some respected observers predicted that the whole project could unwind as the Socialist spendthrifts headed towards a collision with the fiscal puritans in Germany.

The Budget audit was expected to be part of this process, designed to allow the French Government to stick up two fingers to Germany and admit it had no hope of meeting the Maastricht criteria and, worse, it did not particularly care. In the event, Dominique Strauss-Kahn, the French Finance Minister, has managed to assemble a package that establishes the European credibility of the new Government by making a genuine, and entirely legitimate, attempt to rein in the deficit this year. More importantly, M Strauss-Kahn has framed this in a way that will largely appease the conflicting desires of the Government's Communist coalition partners and the volatile French public.

The audit forecasts that without further fiscal tightening the French Budget deficit will fall in the range of 3.5 per cent to 3.7 per cent, well above the 3 per cent Maastricht target. The French Government aims to knock Fr32 billion (£3.2 billion) — equivalent to 0.4 per cent of the total deficit — off this amount through a corporate tax increase and spending cuts.

The audit, therefore, makes a tacit admission that France cannot meet the Maastricht criteria. But by refusing to tie the French Government to any specific forecast, in favour of targeting a general deficit level that most economists regard as fiscally sensible, M Strauss-Kahn has taken some of the heat out of the deficit arguments. It will ensure the French budget deficit is in line with the projections for the German deficit, allowing France to join EMU "in the same condition as its European partners", as M Strauss-Kahn explained yesterday.

Even the main victim, France's



Dominique Strauss-Kahn's measures establish credibility by aiming to rein in the deficit

corporate sector, could only manage a strangled squeal of distress yesterday. M Strauss-Kahn has decided to impose a surcharge of 15 per cent on corporate taxation this year and in 1998, falling to 10 per cent in 1999, taking the effective corporate tax rates to 41.6 per cent this year and 39.9 per cent next year, compared with an existing rate of 36.6 per cent. Capital gains tax will also be brought in line with the new corporate taxation rates, a hefty increase from the current rate of 19 per cent. Companies with a turnover of less than Fr50 million a year, about 80 per cent of all companies contributing about a third of French corporate profits, are exempt.

But France's leading companies are likely to benefit most from a single currency. The CNPF, the

French employers federation, reluctantly agreed that the tax rises could be justified if they ensured that France qualified for the "essential objective" of a single currency and if the rises are later reversed.

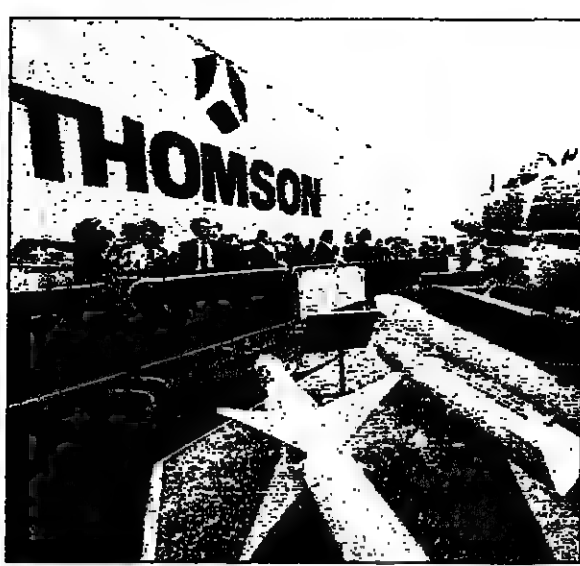
Analysts predicted the impact of the tax would be to knock about 3 per cent off the Paris stock market. Shares with a high exposure to the French market, such as Accor, the hotel company, and BNP, the bank, are expected to be hit hardest.

But corporate profitability has been running at an all-time high over the past year and the French Government's decision not to reverse recent income tax cuts should ensure the recovery picks up steam. The CAC-40 index yesterday recovered from an early 1.5 per cent slide to finish down just 2.57 points at 2,874.12 as traders concluded that most of the pain was already discounted in the market.

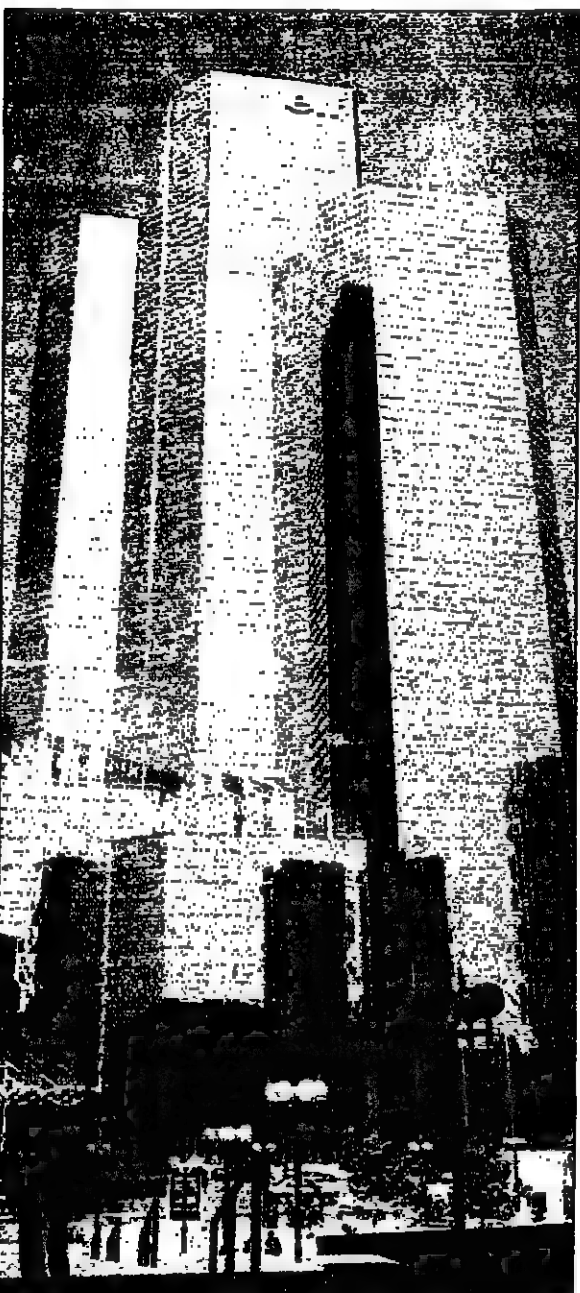
But not everyone is entirely convinced by M Strauss-Kahn's sleight of hand. Gwyn Hache, European economist at James Capel, predicts the deficit could still overshoot the revised totals this year. There is also a question mark over whether the improvement can be sustained, despite M Strauss-Kahn's commitment to reach a 3 per cent deficit in 1998.

The measures revealed yesterday are supposed to unwind by 1999 and economists are not convinced that further progress can be made without significant personal tax rises or a sudden conversion to a less interventionist approach. Patrick Mange, European economist at Deutsche Bank, said: "They've shown their determination to move towards monetary union and the decision to raise corporate taxes will not constrain the economy, but they cannot keep using these cosmetic measures to cut the deficit. They must undertake fundamental reforms."

And while France has cleverly freed itself from the shackles of the 3 per cent target, Helmut Kohl and his Finance Minister, Theo Waigel, remain tied to a figure that few believe Germany can meet this year. The danger persists that Herr Kohl's CDU coalition partners will use the criteria to torpedo the single currency project. But for the moment, a touch of Gallic flair has earned EMU a period of relative tranquillity.



Thomson is among those expecting to pay the surcharge



Elf is expected to benefit from the single currency

## Pitcher power under scrutiny after departure of top executive

Martin Waller on question marks in the City over the viability of United Utilities

A party of analysts were at Warrington, Cheshire, at the United Utilities headquarters for a briefing a few months back. Sir Desmond Pitcher, the chairman, was late. As the minutes passed, analysts noticed the staff present becoming increasingly agitated. At last the door opened. A ripple went round and several employees stood up. It was the tea lady.

Sir Desmond's appearance, a couple of minutes later, was no less dramatic. Not a large man physically, he tends to dominate meetings, particularly those on his home turf. "Anyone going to United Utilities notices it," one present at that meeting said. "Unlike any other utility I have been to, there's an aura there surrounding the chairman. And he doesn't like people who argue with him."

Brian Staples is not the first chief executive to quit after a conflict with Sir Desmond. In 1993, just six months after he arrived as chairman of North West Water, Bob Thian, chief executive of this predecessor company, left suddenly. This was seen at the time as a classic power clash. Thian, as chief executive, expected to run the company; Sir Desmond, as chairman, took the same view.

Sir Desmond, 62, was reported to be under pressure himself last year, in the wake of a row over "fat cat" salaries and bonuses, to become a non-executive chairman, a course of action insiders say he is noticeably unsuited for. Unnamed "directors" were quoted as being keen that he should accept non-executive status in time for this summer's annual meeting on Friday.

United Utilities was created in 1995 out of the takeover of Norweb, one of 12 privatised regional electricity companies in England and Wales, by North West Water. This created the first "multi-utility", putting two essentials under one corporate roof and providing cost savings from combining bills and other services.

There have been cost-savings at United Utilities — but the savings have come from job losses. Worse, the company admitted that they would pay for the cost of the merger and fund higher dividends for shareholders,

which are promised to grow in real terms by 11 per cent a year. Any benefits to customers, at least before the next regulatory review in 2000, would be entirely voluntary.

Such customer benefits duly emerged, with a rebate of £10 a household at a cost of £40 million in the last financial year. But they came too late to head off huge unpopularity, arising from a combination of mass sackings and apparent boardroom greed. Sir Desmond acquired the name "King of the Fat Cats". Labour, while still in opposition, staged a demonstration outside the Mayfair offices.

The ambitious expansion, especially overseas, since the merger has not been noticeably successful. The company disclosed a £83 million write-off against the cost of building a sewage system for Bangkok, a lost bid yesterday to have contributed to Mr Staples's departure. There have been fears in the market that a similar job in Manila may go sour. Closer to home, the company had to admit defeat in the tough electrical retailing market, selling Norweb's retail operation to Comet.

Worse, the City is wondering whether the original concept of putting water and power into one business was fundamentally flawed, and not justified by cost savings. Alternatively, some analysts suspect other utilities, such as ScottishPower, which owns Manweb and Southern Water, may be making a better fist of the job.

The jury is still out, to a certain extent, said one analyst. "Their results didn't look as good in my view as ScottishPower's. With United Utilities, there were lots of one-offs in their accounts, and question marks over whether they have delivered. In terms of actually delivering enhancement of earnings per share, it is still unproven — and I'm not sure problems overseas are over, either."

The loss of another high-profile executive like Mr Staples, whatever the reasons, will be a further blow to Sir Desmond. On hearing the news, the analyst commented: "I had thought that, having lost Thian, he couldn't afford to lose a second one."

## LOSING SLEEP?

**foreclosure** n. 1 shut down golf course (after errant ball on head) 2 one better than a fivecourse 3 take possession of a property because an owner cannot repay money.

**liquidate** v. 1 a blind date, usually with a member of the Campaign For Real Ale 2 wind up the affairs (of a company) by ascertaining liabilities and apportioning assets.

**tax** n. 1 item commonly used for securing carpet to floor 2 round disk as dispensed to motorists (ref. Swansea) 3 fiscal obligation to State executed under very complex laws.

**summons** n. 1 belonging to somebody (summons hat: summons car: has summons lost this?) 2 a call to appear before a judge or magistrate.

For the definitive answers to your legal questions, call Rowe & Maw and get a little more sleep.

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## Tarmac-ed over

EXECUTIVE sackings, 1990s style: if you lose a chief executive, there is nothing like a bit of character blackening to unnerve the departed one just as he or she is about to bring the heavy legal guns to bear. There were some real lulus whizzing around after news that Brian Staples was handing in his executive washroom keys at United Utilities. He had always been seen as the grey man to chairman Sir Desmond Pitcher's raving megalomaniac, but not if half the stories are true. Some, it repeated, would certainly ensure his compensation package is swiftly swollen by a large libel settlement.

But Staples does stand guilty of one shocking crime. His entry in Who's

Who, 1996 edition, contains at least one error. The much-married 52-year-old claims two former wives. This has been disputed before. But he also claims to have been chief executive of Tarmac from 1991-94. Alas, that honour belongs to another; he ran the contracting division. Such mistakes are easy to make when you have such a huge multi-utility to run.

● THAT bitter industrial dispute seems to have caused some cynicism at British Airways. Some staff are impressed by the news that the company wants an alliance with Iberia, the Spanish carrier. This arrived, out of a clear blue sky, just a couple of days after BA appointed a fresh set of spin-doctors. Some are wondering if the two events are related.

### Life's a beach

VISITORS to the Broadgate Circle the week after next can enjoy the creation of the country's biggest ever sand sculpture. Citibank is sponsoring Mark Anderson to create a reproduction of five of the world's most famous buildings, out of sand shipped from Weymouth beach and plain water. No glue, and no cheating, we are promised. The work will take all week, and passers-by during that time are offered the chance to take part in competitions to make sandcastles.



Sand and water are hardly the most durable of materials, and Anderson will not be on a 24-hour watch there. What if, horrific thought, a few market traders, half a dozen Fimms the worse for wear, spill out of Corney & Barrow and — well, some temptations are hard to resist. Citibank's spokeswoman sounds horrified. The thought has clearly never occurred to her. "They have security guards there, don't they?"

### Casting a Paul

WHO is Paul Zimmerman? This is the burning question at Michael Page, embroiled in a deeply embarrassing row with Douglas Lambias Associates (DLA), a rival headhunter. Unless someone finds the elusive Zimmerman, the next action will be in the courts.

The dispute, flagged in this column last week, involved Zimmerman — no one of that name actually works at Page — passing himself off as an employee of WPP, the advertising group, and asking DLA to supply some names, so ensuring his rival did his work for him.

In the gentlemanly world of British headhunting, this sort of behaviour is akin to arriving drunk at a Royal garden party and kicking one of the corgis. Douglas Lambias wants blood. The best Michael Page has been able to offer is that the hapless Zimmerman will receive "a right bollocking" — once they work out who he is. This will not be enough for Lambias, who is likely to issue a writ for fraudulent misrepresentation.

● HOARE GOVETT, the broker to Body Shop International, hosted an event for analysts the other day, allowing them to try out the company's Direct products. These are for home shopping parties — Ann Summers for the ecologically sound, even if I cannot see Anita Roddick approving of the comparison. Chosen for the full makeover was Nick Hawkins, of Merrill Lynch, and he looked none too pleased about it. Hawkins's beard allowed him to talk his way out of one of two of the lines available, but his feet got the full treatment — pumice, peppermint oil, the works.

### Just credit that

A WHILE back there was a largely bogus piece of research that attempt-

ed to prove, from a statistical analysis of insurance claims, that women made the best drivers. Now along comes the claim that they are better credit risks as well, and the bad luck, chaps, is that this one seems to be properly researched.

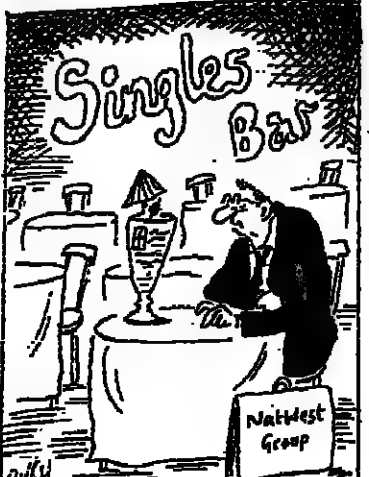
The Society of Practitioners of Insolvency says women are not only five times less likely than men to go bust, they are also more likely to agree debt repayment rather than pull the whole temple down by going into bankruptcy. Women also owe 14 per cent less on average to creditors, although whether this reflects the smaller size of their businesses I cannot say.

The bad news for some of us is that married, middle-aged men are the most likely to go bust.

MARTIN WALLER



Roddick home products





هكذا من الأصل











## Checklist sets tone for good holiday

By Rodney Hobson

AS THE holiday season approaches, Barclays Bank has discovered what small business owners already suspect: few owner-managers get a decent break.

Only two out of five get more than two weeks off a year. The situation is worst for those who have recently set up in business: a quarter will get no holiday this year.

Most entrepreneurs admit to being under excessive stress but Barclays has produced a checklist to ensure that harassed business owners can plan for a holiday without letting the business suffer.

□ Plan ahead: Tie up loose ends before you go and make sure that important orders are satisfied or handed over to a responsible person.

□ Staffing: Make provision for cover while you are away, especially during peak trading times. If this means taking on temporary employees, allow time to brief them thoroughly.

□ Cashflow: Budget ahead for holiday periods so you have adequate resources to pay for temporary employees. While you are away, leave your accounts in the hands of someone you can trust. Advise the bank who they should liaise with in your absence.

□ Customer relations: Let customers know the holiday dates you are planning and give them the name of a member of staff to contact while you are away.

□ Contact details: Let a reliable employee know how to get in touch with you but ask to be contacted only in an emergency. There is no point in taking a holiday if you are going to be pestered with calls.



A working one is the nearest I could get to a holiday this year

## Higher standards pledged, as one winner reflects on Business Links success

### Shake-up time for one-stop shops

By Rodney Hobson

BARBARA ROCHE, the Small Business Minister, is conducting a review of Business Links, the one-stop shops for advice and help for small and medium enterprises.

She will be making an announcement in the autumn of how she sees the system set up by Richard Page, her predecessor, developing into the next century.

Mrs Roche says: "The Business Links are in place and in some parts of the country they are doing very well indeed. In other areas they are not as strong. We need to make sure that they are all brought up to the standard of the best."

"I have to decide what they are going to look like in five years' time. We keep telling small businesses not to stand still and we have to ensure the same applies to Business Links."

Mrs Roche has spoken to all the main small business organisations and intends to consult them again before making her pronouncement on Business Links. She accepts that many small enterprises are either unaware of, or ignore, Business Links.

Mrs Roche today launches the third "Making the Difference" awards sponsored by Shell, the oil giant, and the Department of Trade and Industry. Small businesses have until December to demonstrate that they have grown their business, or developed new products or services by working with a Business Links adviser.

Regional winners selected in February will go into the national judging the following month. Prize money totals £60,000, with £15,000 going to the overall winner.

She says: "More of our firms need practical help in key areas such as sourcing finance, marketing and exports if they are to turn their

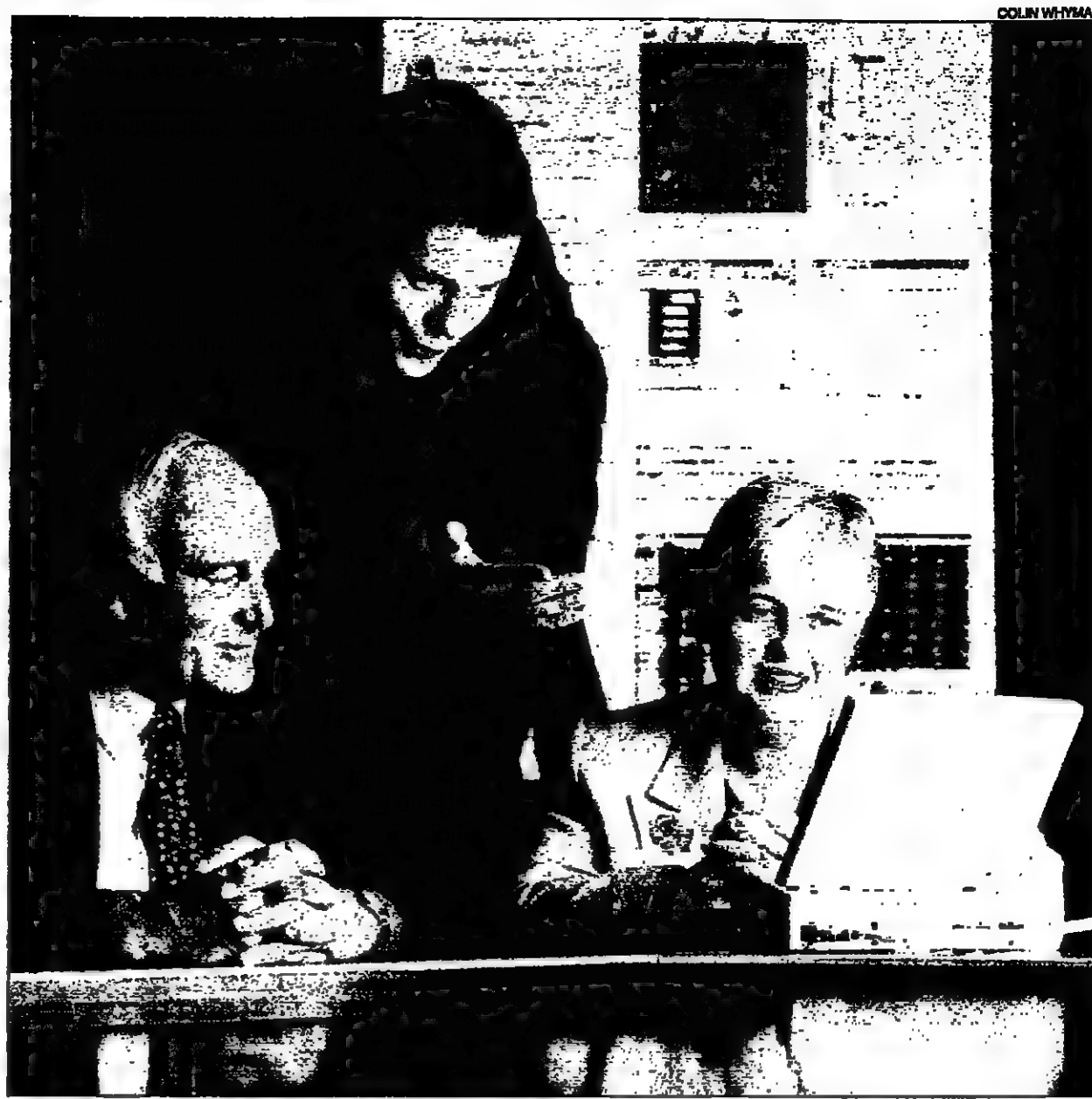
ideas into world-beating products and services. Recognising the hard work and contribution of small businesses is an essential part of creating an enterprise culture in Britain. It is very important that the winners act as champions and role models for others."

While it is not necessary to export in order to win an award, Mrs Roche is keen to encourage small businesses to make their contribution to Britain's balance of payments.

She cited the case of a Yorkshire delegation to Brazil organised by a local chamber of commerce last month. Mrs Roche, who was on an official visit, met the party on the aircraft.

She says: "There is a great demand in Brazil for British products. One of the small companies I met had been able to double turnover because of the orders it won there."

□ Mrs Roche will publish her eagerly awaited Green Paper on late payments by the end of next week.



Will Dracup explains his product to Chris Fay, Shell UK managing director, and Barbara Roche, Small Business Minister

## Award brings more than prize for NLD

By Rodney Hobson

PUBLICITY rather than pounds is the main benefit of the Business Links "Making the Difference" awards from the Department of Trade and Industry and Shell.

As Will Dracup, one of the original winners when the awards started two years ago, explains: "You get a lot of credibility if you are able to tell people you have won an award. In our industry there is a lot of competition from companies here and in America. When many of our competitors are having a tough time, it is a positive message to say that the

award is for growing the business so much."

"Our industry" for Mr Dracup means life sciences, a sector where even large companies have seen their shares

soar and plummet on the stock exchange as they lurch between miracle breakthrough and disappointment.

Mr Dracup is managing director of NonLinear Dynamics (NLD), which makes computer software for measuring protein and DNA samples. He puts a complex technology into layman's terms:

"Anyone interested in the building blocks of life, how living things work at a cellular or chemical level, can study images of cells taken by various methods from videos to high-density scanners."

The technology can help scientists researching diseases by comparing samples with and without the disease. While many of NLD's customers are in research and medical colleges, the company is selling increasingly to large pharmaceutical groups such as Glaxo Wellcome and SmithKline Beecham.

Mr Dracup says: "If you are working on a new drug you can look at the patterns of the protein in the cell. You can add a substance to cell cultures and see if they are producing the same proteins with or without the substance."

His product means that cosmetics can be tested for safety without being rubbed into the eyes of live rabbits. Other uses include food safety checks.

Getting started on his own was hard going. Mr Dracup was already working in life sciences as a software engineer with a company in the North East.

He says: "All companies in this field were using very big computers to do their processing. My big jump was to realise it could be done on a

personal computer. I tried to persuade the people I was with but they didn't want to know so I did it myself."

From being a one-man band, NLD, based at Newcastle upon Tyne, has expanded over eight years to employ nearly 20 people.

Mr Dracup says: "Getting the first customers was the hardest part. We had no track record and no one knew whether we would be around the next year to look after them."

Business has snowballed since the firm won its Making the Difference award. Turnover was £600,000 last year and will top £1 million this year.

## University to put Suffolk on line

Televestry, run by University College Suffolk, is introducing the county's small businesses to communications technology with the chance to learn management skills and discuss business problems with tutors.

Two centres, Sudbury and Haverhill, are open; others will follow shortly at Leiston (with free training) and Stowmarket. Structured learning and drop-in facilities are offered. Funding is by Suffolk TeC with support from the county council and advice from BT on computers, internet and video conferencing equipment.

### New bond

A three-month corporate bond giving interest above the prevailing rate has been introduced by NatWest for businesses with spare funds. Investments are between £10,000 and £1 million, and the offer is open to non-NatWest customers. Steve Cockell, of NatWest corporate banking services, said: "Many companies maintain cash surpluses and it is important to make these work as hard for your business as you can." Details: 01782 719385.

### Poster plan

Poster campaigns, leaflet drops and coping with media interviews are among topics covered in *Handling Publicity the Right Way*, a new book by John Venables, a journalist and media trainer. It costs £3.99 from bookshops or £4.50 to cover postage from Elliot Right Way Books, Kingswood Buildings, Lower Kingswood, Tadworth, Surrey.

### EU funding

The European Commission has allocated 7.5 million euros (about £5 million) to be used by venture capital operators to consider fund applications by small and medium-sized companies for technology projects. The scheme, called I-TECH, follows complaints by applicants that venture capitalists reject technology proposals because assessing them is so costly.

AN EXCLUSIVE READER OFFER THE TIMES

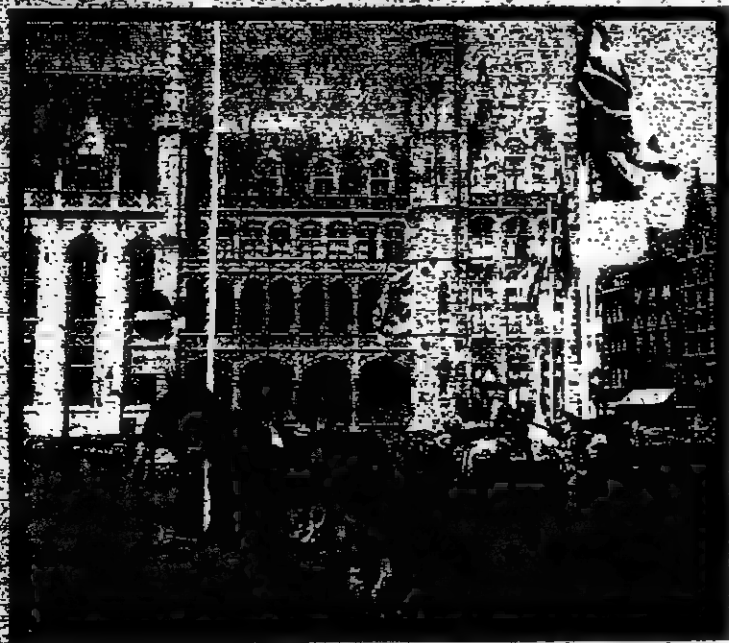
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You can also travel by Eurostar, including two nights bed and breakfast, during August and pay £159 each, based on two people sharing as above. This includes the return rail transfer from Brussels to Bruges. For weekend stays in September there is a supplement of £12 per person per night.

All you need to do is collect four differently numbered tokens from *The Times* and

telephone the booking line above to make your reservation. Tickets will be issued on receipt of your tokens and booking reference number. All bookings must be made by August 15.

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2-5 YEARS' PQE

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- a strong financial pedigree and a reputation for prudent management and forward-thinking
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- a dynamic legal team, providing wide ranging technical support to a growing division which continues to identify and develop new products in emerging markets.

The Treasury and Capital Markets Division of this house-hold name bank now seeks to recruit an ambitious and forward-thinking lawyer to join its growing legal team. With between 2-5 years' pqe you will have City experience from either private practice or similar financial house including an in-depth knowledge of derivatives, bonds and foreign exchange as well as ISDA, PSA/ISMA and other capital markets documentation. As well as real technical ability you will have an energetic, independent and resourceful approach to your work as this successful division needs a commercial solution-driven lawyer.

As a key player within this close-knit legal team you will enjoy an excellent working environment and a top City remuneration package.



For further information, in complete confidence, please contact our retained recruitment advisers Adrian Fox or Rebecca Errington (both qualified lawyers) on 0171-405 6062 (0181-293 8520 evenings/weekends) or write to them at Quarry Douglass In-House Legal, 37-41 Bedford Row, London WC1R 4JH. Confidential fax: 0171-831 6394.

## IN-HOUSE BANKING

OUR CLIENT is a major international investment bank headquartered in London. The capital markets and derivatives arms of the bank provide a fully integrated advisory, trading and investment service to a broad client base.

The Legal Department enjoys a high profile within the bank and handles all legal matters in-house. The ethos is professional and the work both varied and consistently interesting. The volume and complexity of legal work has increased due to internal business expansion and further development of cutting-edge products. Consequently, the Legal Department seeks an additional lawyer to join the existing team.

The role will encompass advice and transactional support for a broad variety of capital

markets products from inception to completion. In addition, there will be ample opportunity for the successful applicant to be involved in more general corporate and commercial work.

Suitable candidates should ideally have 1-3 years' post qualification experience gained in private practice or an international banking environment. Prior capital markets exposure will, of course, be advantageous, however general finance lawyers will also be considered provided they are flexible, commercial and adaptable 'team' players.

The position offers an exceptional opportunity for a bright and confident individual to pursue a challenging career in-house without becoming over-specialised. A competitive salary, bonus and full banking benefits are offered.

For further details in complete confidence, please contact Stuart Morton or send him a copy of your CV. This assignment is being handled on an exclusive basis.

**CHAMBERS**  
BANKING & FINANCE

23 LONG LANE, LONDON EC1A 9HL TELEPHONE: (0171) 606 8644 FAX: (0171) 600 1793

## A CAPITAL OPPORTUNITY TO DISCOVER TRADING CAPITAL MARKETS LAWYER

£EXCELLENT

CITY

If you have the commercial know-how and practical knowledge that is essential to the pace of the dealing floor then this could be the opportunity you have been waiting for?

Our client is a full service securities firm with expertise that is concentrated on specific products. They have become market leaders in some of the most important niche areas and supported by their extensive research facility are expanding into emerging market products.

A vacancy has now occurred in the Fixed Income New Issue and Structured Products department. Responsible for new issue transaction management, you will report to the Legal department

but be positioned in the front office providing advice to the desk and senior management. Key skills required are experience of transaction management, prospectus writing and knowledge of emerging markets.

You will have 3-4 years' experience in private practice or a banking environment and will thrive on a fast moving, hard working environment and display a "roll up your sleeves" approach. With a particular interest in deal origination you will be confident and mature in handling the interface between the trading floor and legal department.

Naturally the salary and benefits package that they offer is pitched

at a level to attract the most ambitious professional with capital plans of their own.

Interested candidates should contact our advising consultant, Guy M Hayward on 0171 405 0151 (Daytime) or 0181 673 4789 (Evenings and Weekends), or write to him at In-House Legal, 17 Red Lion Square, London WC1R 4QH. Fax: 0171 831 6498. E-mail: hwgroupp@hwgroup.co.uk

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## LEGAL APPOINTMENTS

### PRIVATE PRACTICE & INDUSTRY

#### PROJECTS

There are currently several lucrative vacancies at leading firms for projects lawyers. A shortage of suitable candidates has resulted in a demand for lawyers as junior as 6 months qualified with banking and finance experience who would like to re-enter into this area. At the senior end, prospects are outstanding for individuals with proven technical ability and enthusiasm. (Ref:17411)

#### REGULATORY

An excellent opportunity exists with this premier multi-national firm for regulatory lawyers (with either banking/PSA/insurance/US experience) who wish to move to a small dedicated group. Breadth of work ranges from derivatives regulation to banking with regulators and corporates. Minimum of 2 years' pqa desirable. Clear gap also exists for a partner in the short/medium term. (Ref:20202)

#### BANKING

High grade and well regarded London and Birmingham offices of leading national firm seek top 30 City-qualified 2-4 years' pqa lawyers looking to broaden their working horizons. Recent partner here in the London office is an indication of the firm's ambition. Birmingham office already acts for a number of the major banks in this region and work includes high quality bank lending, project finance, mortgages, bank acquisitions and acquisition finance. (Ref:17712)

#### JUNIOR EMPLOYMENT

Employment team at progressive London practice is gaining increasing market share. Offering expertise in both contentious and non-contentious areas, the team has been involved in some very high profile matters and the steady flow of new instructions has created the need for talented assistants. One at the 2-3 year level and possibly another at NQ level. You will combine demonstrable enthusiasm for the type of work and natural close skills. (Ref:19635)

#### IT

This technology practice, with a litigation and non-contentious advisory team, is seeking at least one non-contentious commercial lawyer at the 2-3 year stage and also more senior lawyers, to advise clients on a variety of projects, including outsourcing, licensing and software development. Work is for both corporates and financial institutions. Training can be given if you have basic skills and a genuine interest in this area. (Ref:16789)

#### PREMIUM

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#### STRUCTURED FINANCE

New instruction from a leading US investment bank for a senior structured finance lawyer with a minimum of 5 years' and a maximum of twelve years' experience. A US or UK qualification will be ideal. The role will involve sophisticated, asset backed deals and secured debt work. You will work closely with the relevant front office group on structuring products. (Ref:10203)

#### MULTIMEDIA

Recently launched multi-media group at top City firm seeks assistant at around the 3-6 year level with expertise in telecoms, cable and in related media work. Transatlantic are a genuine interest in this industry, a radically commercial approach and well honed negotiation skills. In-house lawyers contemplating a move back to private practice are actively encouraged to apply. (Ref:19367)

#### DERIVATIVES

Pro-active derivatives lawyer (with between 1 and 3 years' experience) required for first-time appointment of "second in command" to the global head of derivatives at a leading European bank. Role will include structuring complex derivatives transactions, handling legal queries and dealing with external counsel. Some supervision of junior lawyers will also be required. Experience from a top 5 firm or leading finance house essential. (Ref:19633)

#### COMMERCIAL PROPERTY

Medium sized City firm needs lawyers with 2-4 years' experience, though candidates with greater experience will also be considered. You will enjoy role of high grade work for household names including leisure and media clients. Ideal candidates will be ambitious, proactive and able to take on significant responsibility. (Ref:15495)

#### RETRAIN INTO SHIP FINANCE

Commercial shipping team at top City firm has a pre-eminent reputation world-wide. The work is extremely diverse and will appeal to banking lawyers with up to 4 years' pqa who are keen to re-train their skills into a specific industry sector. Vacancies also exist for Autumn 1997 qualifiers with a good commercial grounding. Such is the success and market profile of the firm that it is prepared to pay well in excess of current market rates. (Ref:15794)

**ZMB**

### IN-HOUSE

### PRACTICE

#### Take control of your own market

With strong demand in all areas of our business, we now need to further develop our business within the in-house banking and finance sector. If you have experience with a top City firm, a bank or another recruitment consultancy and you would like to explore this exciting and rewarding opportunity, please call Laurence Simons personally or Naveen Tuli.

#### General Counsel - International

This well known US multinational requires a high calibre and commercially astute lawyer with between 7 and 10 years experience in M&A and general commercial matters. Candidates must already be in-house undertaking an international role. Contact Naveen Tuli.

#### Senior European IT Counsel

This market leading and hugely successful US IT multinational is looking to hire a 5 to 10 year qualified lawyer with extensive experience gained from the information technology industry or the IT department of a leading law firm. Contact Naveen Tuli.

#### Offshore Trusts

This well known financial institution urgently seeks a solicitor or barrister with between 1 and 3 years offshore trusts experience to join a small Channel Islands based team. Contact Naveen Tuli.

#### Construction

A well known construction company seeks a 2 or 3 year qualified lawyer with non-contentious construction experience to join a team of 5 in-house lawyers. Contact Rachael North.

#### Commercial Property

This leading institution is looking for a 3-7 year qualified solicitor to handle a wide variety of property work as part of a team. Contact Rachael North.

#### Banking, Capital Markets, Derivatives, Fund Management & Compliance

We currently have a number of instructions from US, UK, European and Asian banks for high calibre lawyers with between 1 and 5 years experience in any of the above disciplines. If you are looking to explore opportunities with banks, please contact Naveen Tuli.

#### First Move In-House?

As the in-house market continues to grow, we consistently receive instructions from numerous household name US, UK and European multinationals who require lawyers with between 1 and 5 years general company and commercial experience. If you would like to discuss the in-house market, make us your first call and take advantage of our unrivalled contacts in-house, worldwide. Contact Rachael North.

#### Banking Lawyers

We have been instructed by many of our Paris based clients to keep an eye open for 3-6 year qualified fluent French speaking banking lawyers who want to change their life style whilst continuing to undertake the highest quality caseload. If that may be you, please contact Daniel Lewis.

#### Various Disciplines

There is currently a strong demand for talented lawyers with at least 3 years post qualification experience to relocate to The Cayman Islands. We are now handling positions for solicitors or barristers specialising in commercial and civil litigation, banking and finance, capital markets, funds or general company/commercial work. For more information on positions in this exciting tax free location and the change in lifestyle on offer please call Jane Foster.

#### Locums

If you are interested in starting work immediately in company/commercial property or private client work, we have various interesting opportunities with firms of solicitors and in-house. Please contact Samantha Knowles.

#### Aviation

One of London's leading firms of solicitors has an opportunity for a newly qualified UK or US qualified lawyer with relevant aviation experience. Contact Samantha Knowles.

#### Property Litigation

This major commercial firm of solicitors wishes to appoint a property litigator with between 1 and 2 years experience to handle a mixed bag of property matters including some landlord and tenant. Contact Samantha Knowles.

#### Commercial Property

As it continues to expand its property department, this pre-eminent City firm is currently seeking commercial property lawyers with between 3 and 7 years experience in general commercial property, property development or property finance. Contact Jane Foster.

#### Private Client

This well known City firm with strong international connections currently has a requirement for an ambitious 2-5 year qualified private client lawyer to undertake personal taxation matters for high net worth individuals. This is an excellent opportunity for quality work with lots of client contact. Contact Jane Foster.

#### Part-time (Corporate Tax)

An experienced lawyer is required to work part-time on the tax aspects of corporate transactions with this heavyweight regional practice. The post may suit someone returning to work and a computer link will be provided if you wish to work from home. Contact Andre Field.

#### Private Client Partner

Our client is regarded as having the leading regional private client department in the South East. They are now looking to expand further by appointing an additional partner, preferably from a City practice. Contact Andre Field.

**LAURENCE SIMONS**  
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## SENIOR IN-HOUSE LAWYER

### Engineering and Construction

Aberdeen or North East England

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With a deserved international reputation for the projects they undertake, our client has an impressive record of recent contract awards. Their legal team plays a key role advising on, and mitigating, the significant risks inherent in complex commercial arrangements. They now seek an additional professional, responsible to the Head of Department for:

- Analysing and negotiating where necessary a range of contractual documentation
- Providing best practice legal and commercial advice on contract risk management
- Adding commercial and business advantage to project management teams
- Providing legal and commercial support to projects operating worldwide

This role will appeal to a qualified lawyer, ideally with 5+ years pqa who can demonstrate experience in similar work, probably gained both in practice and in-house. Strongly developed communication skills will help you influence and persuade colleagues, peers and a wide range of external contacts, including outside Counsel, while meticulous attention to detail and a flair for innovative commercial solutions will maximise the value you add to the business. A highly attractive salary and benefits package will be offered and there are good career prospects within a major group of companies.

Interested candidates should write with full CV, quoting current rewards package to Richard Roberts, Hoggett Bowers, 7-9 Bream's Buildings, Chancery Lane, London EC4A 3DY. Tel: 0171 430 9000, Fax: 0171 405 5995, quoting ref: HRR/12883/TLA.

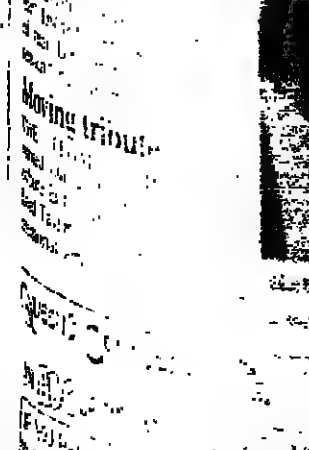
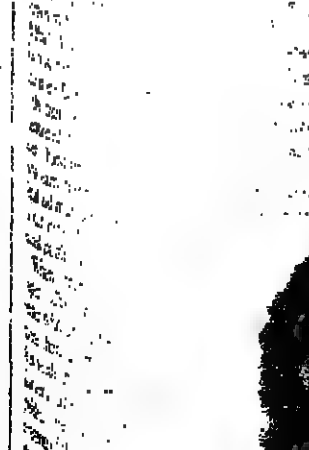
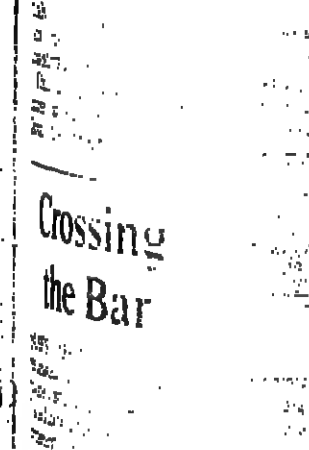
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## LAW

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## Soap justice won't wash



Roger Ede of the Law Society is a legal adviser to The Archers. But here he takes the Radio 4 serial to task for being unfairly dismissive of the criminal justice system. Should soap operas be taken seriously or are they, after all, just stories?



At the heart of a national controversy: Pemberton (played by Peter Wingfield), Mrs Hebden (Judy Bennett) and Ms Aldridge (Tamsin Greig)

What is your view of the criminal justice system? Do you believe that the police are powerless, prosecutors are ineffectual, juries are naive and sentences are too soft? If so, you will not have been surprised when the Barchester magistrates recently let Simon Pemberton off with a conditional discharge and a £200 compensation order for beating up Debbie Aldridge, his girlfriend.

Millions of Radio 4 listeners shared Ms Aldridge's disgust at how the criminal justice system had failed her. The listeners, already shocked by Pemberton's earlier assault on Shula Hebden (née Archer), had agonised with Ms Aldridge about whether she should complain to the police to stop him behaving like this towards other women — despite the public humiliation that she would suffer at the hands of *The Barchester Echo* when the court proceedings were inevitably publicised.

Though Mrs Hebden eventually went to the police, no action was taken over her complaint about Pemberton. I had advised a different and more unpleasant departure from the programme for

Pemberton. In my version, he was also charged with common assault on Mrs Hebden, so destroying any mitigation that his assault on Ms Aldridge was out of character. The clang of prison gates, for a few days at least, was my recommendation for his complicity. There is no doubt that it was in the public interest that he was seen to have been dealt with firmly by the Barchester magistrates. Otherwise, women who are

will take a serious view of the victim's suffering. "Not in a million years," was a magistrate colleague's response to Pemberton's sentence on the programme.

Real-life issues help to attract audiences and bring a programme welcome publicity. Makers of television and radio "soaps", such as *The Archers*, go to great lengths to ensure that their characters and plots are plausible. Their audiences can be led to believe

story. It can provide a valuable opportunity to debate this in a very public forum. But such matters are inevitably complex and if the debate is to serve any purpose it must be informed.

These plots touch upon real people's lives and I think that the *Archers* "insider" who is quoted in a newspaper report of my criticism as saying "Did you tell Mr Ede that it's not real life: it's just a story?" misses the point.

When Susan Carter was jailed in *The Archers* for six months for helping her armed-robbler brother who had escaped from a prison escort (the programme had taken my advice that time), the national newspapers devoted 50 column feet to the story. Her sentence came soon after Michael Howard's speech at the Tory party conference that "prison works".

*The Times* and *The Daily Telegraph* wrote leader columns about the issue and the *News of the World* conducted a Free The Ambrose One coupon campaign. A campaign, with posters, T-shirts and a petition, was also organised by a Friends of Susan Carter group.

Michael Howard, when Home Secretary, became in-

involved in the debate about the jailing of a young mother like Mrs Carter on Christmas Eve, claiming that a "real" judge would not have done so. He was taunted by Tony Blair in the Commons for choosing not to apply his "prison works" philosophy to Ambrose.

It is a sign of the times that social issues are increasingly debated on fictional premises. The debate conducted on television and radio must be informed and balanced. That is why what happened to Simon Pemberton does matter.

● The author, secretary of the Law Society's Criminal Law Committee, is an adviser to *The Archers*.

## 'My view of reality is that the victims of domestic assaults are no longer ignored'

assaulted by their husbands and boyfriends may be led to believe that it is simply not worth the trouble of reporting, and may fail to come forward.

My view of reality is that the victims of domestic assaults are no longer ignored. They are encouraged to report crimes and police domestic violence units can be relied on to give them support. The CPS will prosecute if it is provided with the evidence, and courts

that events in real life could take a similar turn, and modify their behaviour accordingly. The programme's makers must be responsible in the way in which they handle this. Though I would not expect them to sacrifice a powerful plot line just to put across a public interest message, the audience must not be misled about the real consequences.

When a soap opera covers a sensitive issue through its

good shape. Equally successful had been his initiative for a new Law Society tie — so much so that when a member of the Government attended a dinner with the President last week, he tried on the tie and decided to keep it — or as Lord Woolf tactfully put it, "forgot to take it off, thus creating another problem for Lord Irvine". The minister? Lord Clinton-Davis.

**Watch the birdy**  
A RARE PAIR of redstarts has been spotted nesting in the Royal Courts of Justice. The birds were discovered nesting at the top of a drain pipe visible from Bell Yard by Ian Bradshaw, a solicitor with Goodman Derrick, and his brother Hugh, also a solicitor, with Smyth Barkham. The brothers, both keen ornithologists, had heard the male singing on Temple church from their nearby offices and watched its flight run. Mr Bradshaw said: "Despite all the fat cat lawyers about, they must have thought there was safety in the law." Chris Harbord of the Royal Society for the Protection of Birds said they were rare: in the UK 25 to 75 pairs breed per year.

SCRIVENOR

## Commander of the cellar

KAMLESH BAHIL, who chairs the Equal Opportunities Commission, had double reason to celebrate last week. She received her CBE from the Queen — and, perhaps equally hard to achieve, became the first woman to be admitted to the inner sanctum of the Law Society wine committee. "This elite meets two or three times a year and 'holds some very comprehensive tastings', according to secretary Sue Cooper.



Bahil: doubly honoured

## Crossing the Bar

QUIPS ABOUT "fat cats" resonated all week after Lord Irvine's attack. Lawyers noted his acknowledgement that his comments "might bear comparison with the conversion of St Paul". Was he thinking of his own remarks just a year ago at the Bar conference?

On that occasion he also mentioned "fat cats": "However hard-pressed lawyers who earn their income from legal aid may actually be that is not how the tabloid-influenced public see it," he said.

"When they read about super silks in the private sector who are alleged to earn more than £1 million a year, that feeds into a belief that all lawyers are fat cats." The public, he added, "knows nothing of the overloads of the Bar". Listeners were persuaded that Lord Irvine would remain "one of them".

**Moving tribute**  
THE LEGAL profession turned out in force to pay tribute last week to the late Lord Taylor of Gosforth at a memorial service at St Paul's

## IN AND OUTS

Cathedral. The service — a moving occasion — also had its moments of humour. Mr Justice Potts, who knew Peter Taylor from his schooldays, described his career at the Bar. "He eventually took silk," he says, "and his practice flourished but no one — not even a Lord Chancellor full of

post-practice remorse — could call him a 'fat cat'."

**New school tie**  
LORD WOOLF, Master of the Rolls, paid tribute at the Law Society's council dinner this week to the success of Tony Gilling, the outgoing president, in putting the society in

## Human rights are no threat to Parliament

Incorporation of the European Convention on Human Rights will bring a quiet revolution in the law. The Government has said that the new Act will apply in all courts and tribunals, so the language of the convention is likely to become part of domestic legal culture, and not just in those major constitutional cases that reach the House of Lords. This will go a long way towards establishing a broadly based culture of rights. But key issues remain unresolved. The most important of these is the precise relationship between the Act and any primary legislation which is clearly in conflict with it.

It is worth noting what is not in dispute. The new Act will take precedence over delegated legislation, and over existing rules of common law and equity which are inconsistent with the rights and freedoms guaranteed under the convention. Thus the courts are almost certain to overrule the notorious decision in *Kaye v Robertson*, in which the Court of Appeal held that the actor Gordon Kaye had no right to sue the *Sunday Sport* for invading the privacy of his hospital bedroom.

The Bill is also likely to contain an express clause requiring courts to construe legislation consistently with the convention wherever possible. This would have important consequences: it would oblige courts to strive to read a statute so as to conform with the convention and it would reverse the effect of *ex parte Brind*, the challenge to the Sinn Féin broadcasting ban, in which the House of Lords held that Ministers and public bodies were not obliged to exercise their powers in accordance with convention rights. Put simply, the traditional "irrationality" threshold for judicial review will give way to the European doctrine of proportionality.

That still leaves the old chestnut of parliamentary sovereignty to contend with. The number of adverse judgments in Strasbourg that have arisen from primary legislation is by no means insignificant. If the Act is to be effective in such cases, something will have to be done to bring the existing body of UK legislation into line.

The Government has made it clear that it does not intend to carry out an audit of the statute book; instead the courts will be required to construe existing and future legislation consistently with the convention. In a head-on collision, one or other will have to give way.

Proponents of the New Zealand model — under which the Human Rights Act would always have to give way to conflicting legislation — argue that this is the only way to protect the sovereignty of Parliament. But this approach would do nothing to redress legislative breaches of the convention, which

would still have to be resolved in Strasbourg. This traditional view of parliamentary sovereignty is widely regarded as restrictive and outdated. Modern constitutional lawyers argue that judicial interpretation of the European Communities Act 1972 has created a new concept of "modified sovereignty". In the *Factortame* case, which arose out of quota-hopping by Spanish fishermen, the House of Lords ruled that in the event of an irreconcilable conflict between a domestic statute and a provision of directly effective community law, the domestic legislation is invalid and community law prevails. This is subject to Parliament's power to override community law by inserting an express clause into an Act to that effect. In community law at least, the courts have to accept that protecting the sovereignty of Parliament is not the same as protecting the sovereignty of all subsequent parliamentary legislation.

It would be a shame if the new Human Rights Act were to become bogged down in this essentially circular argument. Under present arrangements, when the European Court of Human Rights rules that the UK has violated the convention, Parliament almost invariably amends the relevant legislation. Though the decision is theoretically for Parliament, the political reality is that there is usually no choice. Viewed in this way, the question confronting the Government is not whether judges should have the power to declare that an Act is inconsistent with the convention. That power already exists.

The real question is whether it should remain the sole prerogative of European judges or should be extended to British judges who have some familiarity with the domestic legal system.

Incorporation of the community law model would have the advantage of promoting a consistent application of human rights law throughout the domestic courts. Since the convention is an established part of community law, it already "trumps" domestic legislation in the sphere of community competence. Why should Parliament be willing to qualify its sovereignty in commercial and employment matters, while refusing to do so in relation to human rights? It is no longer possible to draw a rigid distinction between the two systems of European law.

If a future government wishes to restrict fundamental rights then it is entirely appropriate that the matter should be debated in Parliament. The rights we are talking about are, after all, the very rights which define whether a nation qualifies as a democratic society under international law.

● The author is a barrister, and Editor of the European Human Rights Law Review.



BEN EMMERSON

## Commerce &amp; Industry

## ENTERTAINMENT

5yrs+ London - Marvellous opportunity for our media lawyer with experience of TV, video, new technology and other distribution & production contracts to join prestigious entertainment co. as lead lawyer. Great career prospects & opportunity to get commercially involved.

## PHARMACEUTICAL CO.

6yrs+ Berkshire - Unique role for commercial/IP lawyer to handle varied workload, including IP, comm & regulatory work. Great opportunity to develop your career with major pharmaceutical player.

## CORPORATE

3-6yrs London - Business minded corporate lawyer to join specialist team at global multinational and handle major international corporate deals. Top quality workload with quality of life and good prospects.

## IP/IT/MULTIMEDIA

1-3yrs London - IP/IT lawyer to join small, core legal team at top multinational. This is a great opportunity to handle top quality international IP/IT/Multimedia work within a thriving young team.

## CO/COM

2yrs+ Thames Valley - Key role for business minded lawyer to join young dynamic structured products co. Opportunity to become commercially involved and provide general co/com advice and support.

## PENSIONS

4yrs+ South London - Unique role for commercially minded pensions lawyer to join specialist consultancy as their sole in-house lawyer. Good technical and commercial skills needed. Great prospects.

## COMMERCIAL PROPERTY

3-7yrs East Anglia - Great opportunity for a bright commercial property specialist to join the legal team at this leading co. to handle a full and challenging range of commercial property work. Good package.

## FUND MANAGEMENT CO

1-4yrs London - Marvellous opportunity for City trained lawyer to join funds arm of this prestigious bank. Varied international workload. A background in financial services, banking or corporate will be considered. A highly attractive package is on offer.

## Private Practice

## IT PARTNER

No following necessary. Rare vacancy for junior partner/senior assistant to join thriving IT practice in highly regarded 50 partner City firm. No following necessary, as this role will include working with one major high profile client. This is a superb chance to join one of the most interesting dynamic players in the field for a bright IT specialist seeking a genuine partnership opportunity.

## IP LITIGATOR

4-7yrs No.2 role in thriving department for talented IP lawyer with strong patent experience. A scientific background would be desirable but not essential. Excellent prospects.

## TRAVEL/LEISURE

1-4yrs Superb opportunity in this City firm to undertake a caseload of interesting commercial work dealing with travel industry issues (including timeshare work). Travel industry experience would be preferable. This is a real chance to make a mark with plenty of opportunities to market this progressive department.

## EU/COMPETITION

NQ-3yrs Top City firm has rare opening for a talented junior lawyer to join their growing team in London. Excellent experience gained in private practice essential.

## SHIPPING

NQ-3yrs City firm with leading international reputation seeks junior lawyer for exciting mix of shipping work with litigation bias working for high profile clients. Strong academics & City training vital.

## EMPLOYMENT

1yrs & 4-6yrs Major City firm has two excellent vacancies for top calibre Employment lawyers to undertake predominantly non-contentious workloads. Excellent packages on offer.

For more information please call Sophie Brooks (Practice) or Bridget Burdon (In-House) at Graham Gill & Young Legal Recruitment, 46 Kingsway, London WC2B 6EN. Fax: 0171 831 4186.



0171 430 1711

20 Essex Street  
The Chambers of David Johnson QC

## SPECIALISTS IN COMMERCIAL, FINANCIAL, EUROPEAN AND INTERNATIONAL LAW

The Chambers of David Johnson QC are pleased to announce that Michael Ashcroft has accepted an invitation to join Chambers, with effect from 1 October 1997.

Kenneth Rokhsar QC will retire from practice at the Bar on 31 July 1997, but will continue to accept, through Chambers, appointments to act as an arbitrator.

The Members of Chambers, as from 1 October 1997, will be:

David Johnson QC  
Eliru Lantier QC  
Sir Arthur Watts KC MG QC  
Murray Pickering QC  
Nicholas Leigh-Jones QC  
Iain Milligan QC  
Angus Glenn QC  
Peter Gross QC  
Mark Havelock-Allen QC  
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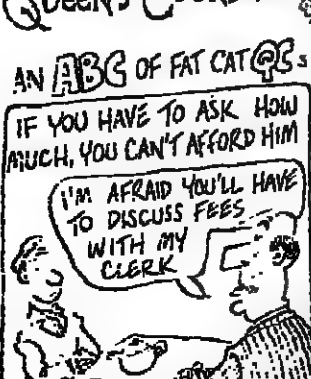
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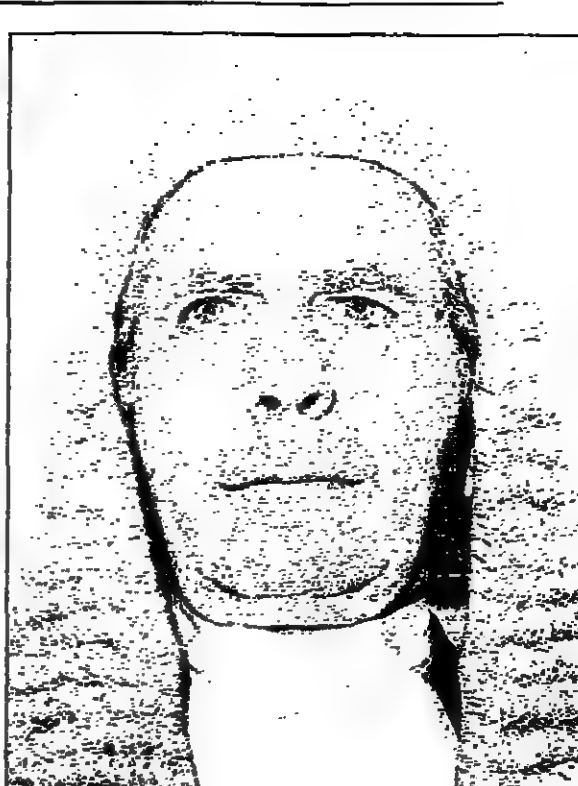
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# Frances Gibb on how criticism of high fees has raised the stakes on the earnings issue



Jonathan Sumption, QC, left, Peter Goldsmith, QC, and Sydney Kentridge, QC, are top earners at the Bar, but there are many lawyers on more modest pay

The howls of protest can still be heard along corridors at the Temple. "The hypocrisy, the sheer brass neck," barristers exclaim. Snipes about earnings are fair game. But this time the attack came virtually from their own ranks. The perpetrator was Lord Irvine of Lairg, QC, who — until May 1 when he became Lord Chancellor — was certainly one of the plumper cats at the Bar, if not quite in the "significant" sector earning £1 million a year.

Lord Irvine's onslaught last week seemed a master stroke in terms of news management. It was his first public grilling in the Lords over high court fees brought in earlier this year to criticisms by the profession, the Legal Action Group, even by Sir Richard Scott, the Vice-Chancellor.

His defence of court fees was almost lost in the rash of headlines about "fat cat lawyers railing at the inequity of court fees", a prospect, Lord Irvine said, unlikely to attract public sympathy.

Both Bar and Law Society were publicly restrained. But privately, lawyers are seething at Lord Irvine's successful hijacking of the fees debate by seizing a populist topic guaranteed to earn instant popularity. The impression given, they say, is of the entire profession rolling in money and ripping off the public. And they resent the rolling-up of legal aid and private fees in a

## Lawyers howl over fat cats attack

way that conceals the modest earnings of many lawyers.

Of course, the Lord Chancellor's speech was not just aimed at knocking the court fees debate into touch. In the longer term, his subtext is to soften the ground for a full-scale onslaught on lawyers' fees — not just legal aid and the 1 per cent of criminal cases that take 24 per cent of the criminal legal budget, but private fees, too.

Lawyers expected him to move on legal aid and do not oppose it. On the contrary, they have tabled their own suggestions for curbing the £1.6 billion bill. But private fees are another matter. Lord Irvine, it seems, is determined to shed his image of a friend of the Bar who would be far less radical than his predecessor, Lord Mackay of Clashfern.

So what is in the melting pot? One option is to rethink the central principle in English justice that the "winner takes all". Instead of winning litigants being able to

recoup most of their costs from the losing side, Lord Irvine may look at a cap to limit the sum people can recover. The move — floated first by Lord Woolf, Master of the Rolls, in his civil justice report last year — would indirectly bring pressure to bear on lawyers' charges. If a £2,500 costs limit was set for disputes up to £10,000, people would not want to pay any higher sums in legal fees.

Reaction is mixed. Some lawyers are strongly opposed, arguing that it would deter people from pursuing legitimate claims. The Law Society is not against capping costs, provided the fee set is fair.

Russell Wallman, head of policy, says: "There is an argument to say 'Why should the litigant who wins not get his or her costs back?' But a balance must be struck between winners recouping reasonable costs and curbing spiralling fees."

David McIntosh, senior partner

of Davies Arnold Cooper, admits a cap on costs would serve as a brake on fees. "If a client overpays a lawyer, there is no reason why he should be able to recover all of his costs. The present system is supposed to stop this but it does not."

The point, though, is that this measure would bear on disputes at the lower end of the spectrum. The big disputes, involving hundreds of thousands in legal costs, would be untouched. And so would the "fat cat" fees reaped, because these are earned by a handful of silks, chiefly doing commercial work, whose big company clients would go on paying whatever it takes to secure the best.

The Bar argues that "fat cat" fees are quite irrelevant to the problem of access to justice for those of modest means. Robert Owen, QC, says that a handful of commercial lawyers — both solicitors and barristers — earn huge fees. But they command them in the open market, where private clients are

exercising their right to spend their money as they wish.

The market, it is true, decides these fees. But how free is the market? The recent furor may fuel the case for a review of the whole way changing operates. And at the heart of it is the silks system, the passport to higher earnings for top barristers, a group held at about 10 per cent of the practising Bar. That exclusivity keeps the QCs in high demand, able to command the highest fees. For a top name — the likes of Sydney Kentridge, QC, Jonathan Sumption, QC, Peter Goldsmith, QC — bookings may have to be made two years in advance. And fees may have to be paid upfront, in stages, in the run-up to the date — sometimes before work has begun.

Solicitors feel they have no choice but to pay what the clerks ask for. But they are champing at the bit. Andrew Walker, managing partner of Lovell White Durrant, said: "There is concern that some top QCs cannot justify the hourly rates of £600 to £800 that some of them charge. Nor the requirement that solicitors should pay the brief fees in stages in advance."

If Lord Irvine wants to tackle high fees, there is no better place to start, perhaps, than with the silks system that gave him and his former colleagues what he called an "entirely satisfactory" living at the law.

## Corruption fears in France

Adam Sage on how the French may alter the system of investigating magistrates to take an English approach

France is proud of its investigating magistrates. They are reputed to be intrepid, independent, and honest. They have served as models for many countries and reformers would like them in Britain. But are they getting out of hand? The French equivalent of our Royal Commission on Criminal Justice believes so and has called for curbs on the wide powers of France's 6,135 *juges d'instruction*.

The Commission Truche of 21 eminent French jurists in a report urged a series of measures to help to turn the magistrate into a British-style prosecutor. Bernard Vatié, president of the Paris Bar Council, says the measures are "a step" towards that way of doing things. In a justice system originating after the French Revolution, investigating magistrates have traditionally been considered the linchpins. Though they need the approval of their local state prosecutor to launch an inquiry, they can do more or less what they want once the investigation is under way. They have the police under their orders, can question whom they like and can remand suspects in custody or on bail.

The commission, headed by France's best-known judge, Pierre Truche, 67, wants to restrict this role. It says, for example, that investigating magistrates should lose the right to decide whether to grant bail — a recommendation which comes after criticism that magistrates often detain defendants in an attempt to obtain a confession. In theory, they can order a detention only to prevent a crime or to stop the suspect conferring with other witnesses or defendants. Alain Carignon, the former communications minister, is the most famous of a long list of suspects who harbour grudges against the judiciary for alleged abuses of power. M Carignon was held in custody in 1994 for almost a year on corruption charges.

The commission said bail hearings should be held in open court by three judges not involved in the investigation, and the press should be able to report the proceedings. M Truche also called for lawyers to be allowed to see their clients "an hour after an arrest", instead of 24

hours later. He said police and judicial interrogations should be video-recorded.

The recommendations come after claims about a series of cases that police officers fabricated confessions or extracted them through violence. Recently, Djamel Eddouibi, 20, was released from custody after it emerged that he admitted raping a policewoman to escape beating by some of her colleagues after his arrest.

M Vatié says: "The investigating magistrate's traditional role has been to shed light on what has happened. Now it looks as though he is to become an accusing judge rather than an investigating judge. The rights of the defence, will be increased." He said that with French magistrates still overseeing police but constrained by new laws, the system could be "better than the British system".

Perhaps so. But it will be more like the British system. In a second proposal, M Truche says France should introduce an offence of contempt of court for the first time, with the media forbidden from mentioning names of those arrested. M Truche could win support from lawyers worried by publicity given to recent investigations; notably the last month of 600 alleged paedophiles. Six men committed suicide when their names appeared in the local press, and at least one was posthumously declared innocent. But the proposal for a contempt of court law has infuriated journalists, for whom the only reporting restrictions are the country's libel laws.

Media commentators also denounced the commission's stance on the sensitive relationship between politics and justice. With the state prosecution service answerable to the justice ministry, and no constitutional separation of powers in France, successive governments have covered up scandals by telling prosecutors to quash embarrassing inquiries.

M Truche's commission has ruled out severing the link. Ministers, it said, should not intervene in criminal cases, but should retain overall authority over the prosecution service.

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or have an interest in this type of work, we would like to hear from you. On joining Freshfields, you will enjoy top City rates, together with frequent social events and in-house gym. Although the job is challenging, every effort is made to make your life easier - both inside and outside office hours. Every lawyer has a comprehensive out-of-hours back-up. If you would like to come along for an interview or want to find out more (an information pack is available), please contact our retained consultants Sally Horrocks or Yasmin Phillips on 0171 377 0510 (0181 995 3396 evenings/weekends), or write to them at ZMB, 37 Sun Street, London EC2M 2PY. Confidential fax: 0171 377 0511. Email: sally@zmb.co.uk

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Recruitment requires the utmost confidentiality, and all recruitment consultants know this. But in the ordinary office world, where secretaries write everyday letters to car fleet operators and equipment suppliers, there is less awareness of confidentiality. Dealing with the employer direct, therefore, is always risky. Using employment agencies adds an element of security to your job search.

If you do write direct, be careful not to use office notepaper for the covering letter or for any other documents. Despite the most explicit instructions that you should only be contacted at home, a secretary is liable to take the address from the notepaper, or put through a call to your office phone number.

Michael Chambers

CHAMBERS' DIRECTORY  
Our legal directory is available from 01403 710 571

### INDUSTRY Sonya Rayner, Fiona Boxall, Morwenna Lewis, Aileen Shepherd

**Commercial Lawyer: Moscow**  
Opp for Russian speaking lawyer with at least 3 yrs' company/commercial exp to join major international company and be responsible for its CIS operations.

**Residential Conveyancer: Hants**  
Our client is looking for a solicitor with experience of residential conveyancing who has an entrepreneurial spirit. With 5-10 yrs' exp, you should have developed your people skills and have good business sense.

**Commercial Property: North London**  
Opportunity for a commercial property lawyer to work closer to home whilst not compromising on the quality of your work. Our client is a supply company for the construction industry.

**PRIVATE PRACTICE LONDON: David Woolfson, Simon Anderson**  
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**Partnership Positions**  
We have been assisting partners seeking a career move for over 20 years now and are regularly placing several partners each month.

**EC Law: Exc Partnership Prospects**  
Leading practice offers 4-6 year qualified solicitor excellent partnership prospects in thriving department, widely regarded as one of the best in the City.

**Professional Indemnity: SW1**  
SW1 firm offers an interesting mix of defendant professional indemnity work in relaxed environment to 2-3 year pqs; assistant from a recognised insurance firm.

**Company/Commercial: US Firm**  
'Unaggressive' US practice offers 2-4 year qualified solicitor broad caseload of highest quality plus salaries in excess of top City market rates.

**NQ Insolvency: City**  
Large City firm seeks Sept 97 qualified to handle non-contentious insolvency and corporate recovery work. Insolvency experience during training is not essential.

### Conveyancers: Cheshire & South Wales

Our client is looking for a lawyer with an exemplary residential conveyancing background, a proven track record of management and IT systems analysis who is looking for a commercial challenge.

**Consumer Goods: West London**  
International company needs solicitor with 1-3 yrs' pqs to work on T/UP and commercial matters relating to new products within the information technology sector.

**Pensions: London**  
Financial consultancy requires pensions lawyer 3-6 years' pqs to handle technical and documentation matters. You will also deal with software licensing and compliance functions.

### Head of Tax: London

Facing partnership bottleneck? Medium-sized firm with outstanding media and hi-tech corporate clientele seeks 4-8 year qualified solicitor.

**Sports/Entertainment: City**  
Lively, upbeat City firm seeks 1-4 year qualified assistant to join non-contentious sports/entertainment group. Relevant experience in this field is essential.

**Information/Know-How: City**  
We are inundated with vacancies for know-how lawyers. Solicitors sought with backgrounds in banking and finance, corporate, projects and pensions.

**Property Litigation: Kent**  
Ambitious NQ-2 yr qualified solicitor with excellent property litigation exp urgently required to assist partner in this substantial commercial practice.

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Progressive firm has exciting opportunity for sol with 5 yrs' pqs to handle an existing caseload and to spearhead the firm's future development. Partnership prospects.

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- Qualified solicitor with approximately 2-3 years' pqs gained in practice or industry.
- Corporate/Commercial legal experience together with proven commercial acumen.
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Office of Innovation &amp; Research Support

### Legal Adviser

The University of Southampton is one of the leading Universities for research income and commercialisation. In order to support the research effort, the Office of Innovation & Research Support, which is part of the University's Administration, was established in 1995. The position of Legal Adviser was created to help with the increasing volume of contract work being handled by the Office. The Legal Adviser will work in conjunction with the Senior Legal Adviser to help staff on all contractual issues concerned with the conduct and exploitation of research including contract drafting and negotiation.

Candidates should normally hold a degree in Law and have practical experience of contract law. Good interpersonal skills, familiarity with personal computer use and knowledge of contract and possibly also intellectual property law are desirable.

The post is available for 15 months in the first instance.

The initial salary will be according to experience within Administrative Grade 1/2: £15,159 - £22,785 per annum.

Informal enquiries concerning this position may be made to Ms Lesane Prowse, Senior Legal Adviser on telephone (01703) 593093 or by e-mail: l.p1@soton.ac.uk or Dr Don Fox, Director of Innovation and Research Support on telephone (01703) 593199 or by e-mail: d.fox@soton.ac.uk

Application forms and further particulars may be obtained from the Personnel Department (5), University of Southampton, Highfield, Southampton SO17 1BJ, telephone (01703) 592750, e-mail: recruit@soton.ac.uk or minicom (01703) 595395. To be returned no later than 6 August 1997. Please quote reference number 5542.

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As part of the fulfilment of its strategic objectives, The College of Law has been developing an innovative Bar Vocational Course with the active involvement of members of the practising profession. The course is due to commence on 22 September 1997 and will demonstrate an exciting new approach to the development of professional legal education in the UK.

A further vacancy has now arisen for a lecturer to teach on the course at the College's premises in Store Street, London WC1. Applicants must be barristers with experience of civil practice and/or have taught on a skills-based course.

The salary will be up to £35,000 per annum. The appointment is intended to be a full-time one, but applicants interested in part-time work will also be considered. Previous unsuccessful applicants are welcome to reapply.

Please send your CV with the names of two referees to Ray Dean, The College of Law, 14 Store Street, Bloomsbury, London WC1E 7DE. Fax no. 0171 291 1206.

The closing date for applications is 30 July 1997.

The College of Law is an educational charity with the object of promoting the advancement of legal education in all its branches.

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Information

The Charity Commission  
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For further information in complete confidence, please contact Michelle McGregor or June Mearl on 0171-405 6062 (0171-792 0475 evenings/weekends) or write to them at Quarry Douglall In-House Legal, 37-41 Bedford Row, London WC1R 4JH. Confidential fax: 0171-831 6394. This assignment is being handled on an exclusive basis by Quarry Douglall In-House Legal and all direct applications will be forwarded to them.

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For further information, in complete confidence, please contact Alison Jacobs or Nicole Forber on 0171-405 6062 (0171-731 5699 evenings/weekends) or write to them at Quarry Douglall Recruitment, 37-41 Bedford Row, London WC1R 4JH. Confidential fax: 0171-831 6394. All direct or third party applications will be directed to them.



## The Charity Commission for England and Wales LEGAL COMMISSIONER

London

c.£60,000 - £75,000

The Charity Commission is a Government Department established by the Charities Act 1993 to support and supervise charities in England and Wales. It determines which bodies are charities and maintains the Register of Charities in England and Wales. It gives advice to charities and has powers to investigate maladministration and abuse.

It is headed by five Commissioners appointed by the Home Secretary, the Chief Commissioner and the Legal Commissioner are full time. The Commission employs 570 staff in offices in London, Liverpool and Taunton.

The vacancy arises with the retirement of the present Legal Commissioner. The Legal Commissioner's main responsibilities are to:

- be responsible for the Commission's legal integrity
- lead representation of the Commission in legal matters
- share responsibility for the Commission's strategic planning
- lead the Commission's 20 strong Legal Division

The Legal Commissioner must by statute have a seven year general legal qualification. While it is not essential to have practised in the charity field the successful candidate must have high credibility as a lawyer and have a track record

which demonstrates an ability to acquire command of new areas of law. An understanding of the charitable sector is desirable. He/she needs to have the vision and creativity to contribute to strategic thinking and charity law development, the ability to give leadership and communicate well and the integrity and discretion to act in a sensitive regulatory role.

This is a Senior Civil Service post with a salary in the range of £60k to £75k, but there could be more for an exceptional candidate. The salary structure includes a performance related element. Normal Civil Service benefits, including a non-contributory pension, will apply.

The appointment will be initially for five years with the possibility of renewal. The post is based in London, although in exceptional circumstances consideration could be given to basing it in the Commission's office in Liverpool or Taunton.

The Charity Commission is an equal opportunities employer.

If you feel you have the necessary experience and ability to measure up to this important and challenging appointment, please send your CV and details of current earnings to David Sears or Douglas Scott at St James's Management Recruitment by the closing date of 18 August quoting reference T120 on the envelope.

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The marketplace in which Clifford Chance operates is constantly evolving. To meet the challenges and opportunities which lie ahead we have set ourselves an ambitious target over the next 10 years. Quite simply, we aim to be the world's premier law firm.

Ten years ago our aim was to be the leading European-based international law firm. We believe we have achieved this ambition. A significant proportion of our turnover is now generated from international work and we have offices in 13 continental European cities with over 800 people working in these offices. Worldwide we have 25 offices employing over 3500 people.

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Growth for growth's sake is not what we want. We want to attract ambitious, talented and committed lawyers. We want to attract lawyers between two and five years' experience who can provide domestic and international legal services of exceptional quality. We will recruit to this desire, ability and stamina to join a team which will include marketing and developing our business.

If you want to help us achieve our aim and add to the success of our firm whilst enjoying an excellent level of remuneration and benefits, professional legal and professional development training of the highest quality, please send a CV with a covering letter giving your career details and ambitions to Ellen Dunne, Personnel Manager, Clifford Chance, 200 Aldersgate Street, London EC1A 4JJ. Telephone: 0171 600 1000. Fax: 0171 600 5555.

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If you are interested please send a full CV to Nicholas Barnard, Owen White, Senate House, 62-70 Bath Road, Slough, Berkshire SL1 3SR. No agencies please.

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The department undertakes a mix of patent, copyright, trade mark and registered design work and has a strong profile in terms of high technology, specifically computer-related and biotechnology matters, heavyweight commercial agreements and competition issues.

We are interested in applications from lawyers with experience in one or more of the above fields who can demonstrate a clear record of achievement. In return we can offer open opportunities, good career progression and an enviable remuneration package.

Our retained consultant Gary Mackney (Director), Wellman Smith Legal Search and Selection is available on 0161 832 0246 (evening: 01455 844189) to discuss our requirements with you. Alternatively you may write to him at Regency Court, 62-68 Deansgate, Manchester M3 2EN, central fax: 0115 941 1922, email: [gary@wellmansmith.co.uk](mailto:gary@wellmansmith.co.uk)

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At this stage we prefer to remain anonymous. Of course, you will need to know more about our growing client base, our highly focused approach and the youthful energy that permeates the culture here.

For an initial discussion please contact Joe Macrae or Yvonne Smyth on 0171 523 3838 (0171 359 5212 evenings/weekends). Alternatively write to them at Zarak Macrae Brenner, 37 Sun Street, London EC2M 2PY. Confidential fax: 0171 523 3839. E-mail: joe@zmb.co.uk



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Merci d'adresser votre candidature (C.V., lettre de motivation), sous réf. VT 12 T, à notre Conseil ERNOULT SEARCH INFRAPLAN - 6, avenue de Villars 75007 Paris, FRANCE.

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- INSOLVENCY LITIGATION** To £45,000  
If you are a insolvency litigator around 2 years qualified, you won't need us to tell you the London office of this top regional firm. You will know that it has a practice that leads the way and a culture that means prospects and training of the very highest quality. All in all, a perfect move. Ref: T7871

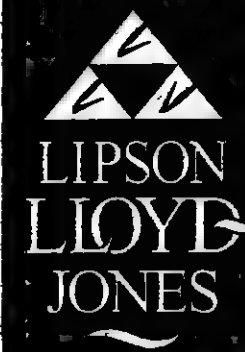


For further information, in complete confidence, please contact Greg Abrahamson, Jonathan Meisden or Emma Cowell (all qualified lawyers) on 0171-405 6062 (0171-359 6660 or 0171-226 4252 evenings/weekends) or write to them at Quarry Douglas Recruitment, 37-41 Bedford Row, London WC1R 4PH. Confidential fax: 0171-831 6394.

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For further information about these positions, or to discuss the various career options available, contact:

Lucy Boyd  
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Envisaged for this position is a person who holds a legal degree supplemented by a business or technical degree with extensive and varied experience in dealing with the legal aspects of international business transactions.

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## Store liable to licensees' employees

**Harrods Ltd v Remick  
Harrods Ltd v Seely  
Elmi v Harrods Ltd**

Before Sir Richard Scott, Vice-Chancellor, Lord Justice Waite and Lord Justice Mummery

[Judgment July 17]

A department store owner who runs a system of licensed concessionaires and who declined to grant approval to an employee of one of its licensees for reasons which constituted unlawful racial discrimination, was liable under section 7 of the Race Relations Act 1976 to that employee.

The Court of Appeal so held in a reserved judgment dismissing an appeal by Harrods Ltd from a decision of the Employment Appeal Tribunal (The Times May 28, 1996; [1996] ICR 846) in favour of Mrs. Ampana Seely, Mrs. Maria Remick and Mrs. Gillian Elmi. This section applies to any work for a person (the principal) which is available for doing by individuals (contract workers) who are employed not by the principal himself but by a person who supplies them under a contract made with the principal.

(2) It is unlawful for the principal, in relation to work to

which this section applies, to discriminate against a contract worker... (b) by not allowing him to do it or continue to do it."

Mr. Bob Hepple, QC and Mr. Paul Gooding for Harrods; Mrs. Laura Cox QC, Mr. Martin Weisgate and Mr. Sandhya Drew for the respondents.

THE VICE-CHANCELLOR said that Harrods organised the sale of goods at its Knightsbridge store by granting licenses under which the licensees became responsible for a particular department at which the licensees' goods would be sold.

The licensees had to provide the sales force at the department in question. The members of the sales force would be the licensees' employees, hired and remunerated by the licensees.

Each member of the sales force, however, had to be approved by Harrods and had to observe Harrods' rules regarding dress, department and behaviour. Harrods might withdraw its approval of any such individual at any time.

The contractual arrangements between Harrods and its licensees had the result that the members of the sales force, each of whom would necessarily have been ap-

proved by Harrods, would be employees of the licensees but would be selling to the public goods that belonged at the moment of sale to Harrods, not to the licensees.

Each respondent, who had either lost or failed to gain approval by Harrods, alleged that she was the victim of racial discrimination. The question was whether a case against Harrods of unlawful racial discrimination was capable of being brought under section 7 of the 1976 Act. Both the industrial tribunal and the Employment Appeal Tribunal held that it could.

Two questions arose on the construction of section 7:

1 Was the work done at the Harrods departments "work done for Harrods"?

2 Were the respondents persons each of whom the respective employer "supplies... under a contract made with Harrods"?

His Lordship analysed the contractual arrangements between Harrods and its licensees and held that for section 7 purposes the work done by the licensees' staff was work done for Harrods. The work would of course also be work for the licensees but it was also work done by the principal.

The opposite construction would

be a person in the position of the respondents without a remedy in the event of discrimination against him or her by the principal since section 30 and 31 of the 1976 Act only provided for declaratory relief not a personal remedy.

Applying *Showboat Entertainment Centre Ltd v Owens* ([1984] ICR 65, 70), *Jones v Tower Boat Co Ltd* ([1997] ICR 254) and *Sarjani v Inland Revenue Commissioners* ([1998] QB 458, 466-467) a construction of section 7 should give effect to the statutory language that was not only consistent with the actual words used but also would achieve the statutory purpose of providing a remedy to victims of discrimination who would otherwise be without one.

Similar considerations applied to whether the individuals who comprised the staff of Harrods' licensees were persons who their employer "supplies under a contract made with Harrods". His Lordship held that they were.

The Employment Appeal Tribunal had come to the right conclusion.

Lord Justice Waite and Lord Justice Mummery agreed.

Solicitors: Ms Caroline Bosely; Mr Mahboob Javid.

**Regina v Secretary of State for Wales, Ex parte Emery**

Before Lord Justice Nourse, Lord Justice Roch and Lord Justice Phillips

[Judgment July 9]

An application to a local authority under section 53(2) of the Wildlife and Countryside Act 1981 for the definitive survey map of an area to be modified under section 53(2) to include an alleged public footpath that was based on credible evidence of enjoyment of it as a public right of way over a period of 20 years was to be granted unless there was documentary evidence which had inevitably to defeat the claim.

The Court of Appeal so held in a reserved judgment dismissing an appeal by the Secretary of State for Wales, but for different reasons, from the judgment of Sir Louis Blom-Cooper, QC (The Times June 21, 1996; [1996] 4 All ER 1) granting an application by Mr Gordon Emery, a member of the Ramblers' Association, for judicial review of the secretary of state's decision upholding the refusal by Clwyd County Council to modify the definitive map of its area to show a public footpath running from Llyn Madoc, Trefor, along the bank of the River Dea in an easterly direction to Pont-Cysyllte Bridge.

Section 53 of the 1981 Act provides:

"(2) As regards every definitive map and statement, the surveying authority shall... (b) keep the map and statement under continuous review and as soon as reasonably practicable after the occurrence... of any of those events, by order make such modifications... as appear to them to be requisite."

(3) The events referred to... are... (d) the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows... (i) that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist..."

Mr John Hobson for the secretary of state; Mr George Laurence, QC and Mr Edwin Simpson for Mr Emery.

LORD JUSTICE ROCH said that there were two ways in which a public right of way could be created.

First, at common law by an act of dedication by the owner of the land over which the way passed.

Second, by an act of dedication being deemed to have been dedicated as a highway by enjoyment by the public as of right and without interruption for 20 years, unless there was sufficient evidence that there was no intention during that period to dedicate it.

Section 31 of the Highways Act 1980.

The appeal was concerned with

the second method. Because of the public interest in the conservation of public rights of way, Parliament had placed on local authorities an obligation to prepare and publish definitive maps and statements of footpaths and bridleways over which public rights of way existed.

They were placed under an additional duty by section 53(2) of the 1981 Act to review the particulars contained in the maps and statements from time to time.

In 1992 Mr Emery applied unsuccessfully to Clwyd County Council for a modifying order in respect of the footpath at Llyn Madoc. On his appeal to the secretary of state, he submitted over 100 statements showing that the path had been used by the public for walking from 1912 up to 1980.

There was written evidence from the landowners that general access to the public along the river bank had always been refused.

Upholding Mr Emery's application for judicial review, the judge had quashed the secretary of state's decision on the grounds of legitimate expectation and fairness. But his approach was quite wrong in principle, would be disastrous in practice and could not be sustained.

Section 53(2)(d) related to discovery by the local authority of evidence of two separate things:

First that a right of way which was not shown on the map

subsisted and second, evidence that a right of way which was not shown on the map subsisted if there was clear evidence of 20 years' use uncontroverted by any credible evidence to the contrary and no credible evidence that there was on the part of the landowners no intention, during the period to dedicate the way to the public.

The problem arose where there was conflicting evidence on one or other of both issues. In approaching such cases the local authority and the secretary of state should bear in mind that an order under section 53(5) left both the applicant and the objector with the ability to appeal under Schedule 15 to the 1981 Act when conflicting evidence could be heard and those issues determined following a public inquiry.

The correct approach had been laid down by Mr Justice Owen in *R v Secretary of State for the Environment, Ex parte Bagshaw* ([1994] 68 P & CR 402).

Where an applicant for a modification order produced credible evidence of actual enjoyment of a way as a public right of way over a full period of 20 years and

there was a conflict of apparently credible evidence in relation to one of the other issues which arose under section 31 of the 1981 Act, then the allegation that the right of way subsisted was reasonable and the secretary of state should so find, unless there was documentary evidence which had inevitably to defeat the claim either, for example, by establishing incontrovertibly that the landowner had no intention to dedicate or that the way was of such a character that use of it by the public could not give rise to common law to any presumption of dedication.

In the present case, the evidence for the landowners was far from being clear and unequivocal. The secretary of state's failure to conclude that there was no right of way contradicted his finding that the actions of the landowners had been such as to demonstrate clearly that they had no intention to dedicate it as a public right of way.

It was not a reasonable conclusion for the secretary of state to reach that the evidence submitted in support of the application was not such as to indicate that a right of way was reasonably alleged to subsist.

Lord Justice Nourse and Lord Justice Phillips agreed.

Solicitors: Treasury Solicitor; Brooke North & Goodwin, Leeds.

## Limit to discretion

**Shropshire County Council v Wynne**

Before Lord Justice Henry and Mr Justice Gage

[Judgment July 11]

When considering an application from a local authority to make an order for the removal of persons and their vehicles unlawfully on land, the magistrate did not have a general discretion to refuse to make the order where he considered it unreasonable for the authority to seek their removal.

The Queen's Bench Divisional Court so held when allowing an appeal by Shropshire County Council by way of case stated from a decision by Mr Peter Browning, Telford Stipendiary Magistrate, not to make an order under section 78 of the Criminal Justice and Public Order Act 1994 requiring Michael David Wynne to move from land at the complaint of Shropshire County Council.

Mr Robin Campbell for the council; the respondent did not appear and was not represented.

LORD JUSTICE HENRY said that the respondent had been living "in a caravan" on land forming part of a highway for several years, when the council directed him, under section 77 of the 1994 Act, to leave.

When he did not leave, the council applied to the court to make an order under section 78 requiring him to do so. The

magistrate had declined to make an order, stating that on the facts of the case it was unreasonable to do so, and that he had a discretion not to make an order in those circumstances.

In his Lordship's judgment the use of the word "may" in section 78 was not enough to establish that the Act gave justices a discretion. More explicit language was required, as for example in section 84(2) of the Housing Act 1985.

His Lordship adopted the approach taken by Mr Justice Sedley in *R v Walsden District Council, Ex parte Wiles, R v Stone, Ex parte Stone* ([1997] 1 All ER 1000) and *Lincolnshire County Council, Ex parte Atkinson* (The Times September 22, 1995) and the Divisional Court in *R v Wolverhampton Metropolitan Borough Council and Another, Ex parte Dawne and Another* (The Times January 2, 1997).

The section of reasonableness was for the council to decide when it made a section 77 direction. There was no discretion for the magistrate to review the reasonableness of the council's action. A closely limited discretion did exist to refuse to make an order in special circumstances, for example when it was unnecessary to do so because the occupier made an acceptable undertaking to leave by a certain time.

Mr Justice Gage agreed.

Solicitors: Mr David Brierley, Shrewsbury.

## Planning dispute

**Regina v Newbury District Council and Another, Ex parte Chieveley Parish Council**

Before Mr Justice Carnwath

[Judgment June 23]

Where a party applied out of time for judicial review of a decision relating to a major planning proposal, it could not pray in aid *R v CICB, Ex parte A* (The Times June 6, 1997) which established that unexplained delay without evidence of prejudice was not a bar to relief, since in such cases it was self-evident that there would be prejudice to good administration of the planning of the area, quite apart from any specific prejudice to those directly concerned, if doubts over the status of the proposal were left unresolved.

Mr Justice Carnwath, sitting as an additional judge of the Queen's Bench Division, so held granting in part Chieveley Parish Council's application for judicial review of, inter alia, the decision of Newbury District Council to grant approval of reserved matters relating to the planning application of Newbury and District Agricultural Society to build two exhibition halls in an area of outstanding natural beauty.

Mr Robin Purchas, QC and Miss Suzanne Ormsby for the parish council; Mr John Steel, QC and Mr Rabinder Singh for the district council; Mr Michael Fitz-

gerald, QC and Mr Christopher Boyle for the agricultural society.

MR JUSTICE CARNWATH also said that when the district council granted the permission, it had reserved matters which had been particularised in the application. That was an error of law which appeared on the face of the permission.

The applicant had submitted that the permission was thereby a nullity and that it was not necessary for the court to make an order to that effect or to exercise its discretion in granting relief. That was to be contrasted with an error which simply invalidated the permission, which would not exclude the court's discretion.

His Lordship rejected that submission. The line of Court of Appeal authorities beginning with *Co-operative Retail Services v Taff Ely BC* ([1980] 59 P & CR 233) showed that the question whether the defect rendered a permission void or a nullity was not a useful subject of inquiry.

The starting point was to consider the nature of the defect and to ask whether it was an important part of the statutory procedure for the protection of parties such as the applicant before the court. If it was, and a breach of it had been established, then prima facie the court should grant relief.

Solicitors: Berwin Leighton; Mr Stuart Tagg, Newbury; Nabarro Nathanson.

## Rescue services owe no duty of care to those in distress

**OLL Ltd v Secretary of State for the Home Department**

Before Mr Justice May

[Judgment June 16]

The coastguard owed no duty of care where it negligently misdirected its own personnel or equipment while trying to rescue people in danger at sea nor did it owe any duty of care where it misdirected other people outside its own service.

Mr Justice May so held in the Queen's Bench Division when striking out a claim against the Secretary of State for the Home Department under the Civil Liability (Contribution) Act 1978 of OLL Ltd for an indemnity against or contribution towards claims settled between them and families and individuals who had brought actions arising out of a disastrous canoeing expedition off Lyme Regis in March 1993.

Mr Jeremy Stuart-Smith, QC, for the plaintiffs; Mr Lionel Persey, QC, for the secretary of state.

MR JUSTICE MAY said that *Capital and Counties plc v Hampshire County Council* (The Times

March 20, 1997; [1997] 2 All ER 855) were consolidated appeals of three cases in which claims were made against fire brigades.

Lord Justice Stuart-Smith had there said that the fire brigade was not under a common law duty to answer a call for help and was not under a duty to take care in doing so.

But where the rescue service itself by negligence created the danger which caused the plaintiff's injury, there was no doubt the plaintiff could recover where a new or different danger had been created from that which the rescue service was seeking to guard against, for example, if, on arrival at the scene, the fire engine was negligently driven into the plaintiff's car, in the first case the defendant, having negligently turned off sprinklers, by its positive act had exacerbated the fire and a duty of care was established.

Mr Stuart-Smith was scarcely able to find material reasons for distinguishing this case from the *Capital and Counties* decision. Indeed there was no obvious distinction between the fire brigade responding to a fire where

lives were at risk and the coastguard responding to an emergency at sea.

Mr Stuart-Smith submitted that the coastguard intervened positively in its coordination of other rescue services and thereby materially increased the risk so as to create fresh danger for the canoeists and positively made things worse by removing the potential for the other services to save the canoeists earlier.

His Lordship considered that the *Capital and Counties* decision was to be applied to the coastguard.

The remaining question was whether the misdirections given by the coastguard to other rescue organisations were to be equated with the fire officer negligently ordering the sprinkler system to be switched off. They were not.

A distinction which would render the coastguard potentially liable if it gave misdirections to other people was quite artificial. His Lordship acceded to the defendants' application to strike out and dismiss the claim.

Solicitors: Ensor Byfield, Southampton; Treasury Solicitor.

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## CIVIL JUSTICE COUNCIL STATEMENTS OF INTEREST

The Civil Procedure Act 1997 makes provision for the establishment of a Civil Justice Council. The Council is to be an advisory body and its key functions will include keeping the civil justice system under review, advising the Lord Chancellor and the judiciary on developments in the system, and making proposals for reform.

Appointed by the Lord Chancellor, Council Members will include, amongst others:

- barristers
- solicitors
- persons with experience in, and knowledge of, consumer affairs
- persons with experience in, and knowledge of, the lay advice sector, and
- persons able to represent the interests of particular kinds of litigants (for example, businesses or employees).

The Lord Chancellor is not seeking individual nominations. He proposes to make appointments to the Council after consultation with organisations representing the above, or related, interests.

Organisations of national standing which might wish to put forward names for consideration are invited to submit a short statement identifying which of the above categories they serve, the nature of their group's contribution to the civil justice system, and general information on the size and membership of the group. Once these statements have been received the Lord Chancellor will invite selected organisations to recommend individuals.

Statements of interest should be submitted by 29 August 1997 and addressed to Ms Maryn Patel, Room 3.04, Lord Chancellor's Department, Solicitors House, 54/56 Victoria Street, London SW1E 6QW.

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## RACING: SWITCH TO SINGSPIEL LEAVES PARTICIPATION OF SHANTOU IN DOUBT FOR KING GEORGE

## Dettori changes partners for Ascot

By Chris McGrath

THERE are more appropriate times to be switching partners than the day after your wedding, but Frankie Dettori was yesterday confirmed as the rider of Singpiel in the King George VI and Queen Elizabeth Stakes at Ascot on Saturday. Shantou, named at the altar, may now be withdrawn.

Dettori, who ended his bachelor days on Sunday, has enjoyed a uniquely successful liaison with Shantou — so much so that John Gosden, trainer of the tricky St Leger winner, feels that there is little point running him with any other escort. But Sheikh Mohammed, who owns both horses, has — as anticipated in *The Times* yesterday — decided that the percentage bet is to keep Dettori on the more strongly fancied Singpiel.

Nap: ELNADIM (3.45 Yarmouth)  
Next best: CLEF OF SILVER (4.15 Yarmouth)

trainer of the tricky St Leger winner, feels that there is little point running him with any other escort. But Sheikh Mohammed, who owns both horses, has — as anticipated in *The Times* yesterday — decided that the percentage bet is to keep Dettori on the more strongly fancied Singpiel.

The Italian coaxed Shantou to a narrow success over Swain, another of the eight five-day acceptors for Saturday's race, in the Princess of Wales's Stakes at Newmarket's July meeting. But he has also steered Singpiel to win the Japan Cup and Coronation Cup.

Anthony Stroud, the Sheikh's racing manager, said that "every option" would now



Singpiel, the Coronation Cup winner, will be ridden by Dettori in the King George at Ascot on Saturday

be considered for Shantou, and that a decision might not be made until Thursday. Gosden certainly appears to have lost out to Michael Stoute, Singpiel's trainer, in this power struggle within the Sheikh's camp, and is now expected to advise against

running the horse at all. Should he go to post, however, there could be no more sensible replacement than Willie Ryan, who brought the Derby to Stanley House last month, when a late replacement on the French-trained favourite.

Benny The Dip.

Oliver Plesier, the only

acceptable alternative for Singpiel, must instead honour domestic commitments in France. It was those same ties that originally saw him forfeit the ride on Helissio, the French-trained favourite.

Cash Assmusen has played the role of lawyer in that

divorce, enjoying all the benefit — and yesterday he was delighted by Helissio's final exertions before Saturday's race, which looks like being the best staged in Britain for many years.

The colt dashed clear of two

work companions, with Assmusen relatively motionless, at the end of a gallop over nine furlongs in Les Ages in Chantilly. "He went very nicely, seemed relaxed and happy, and I'm full of confidence for Ascot," Assmusen said, seeking — after Justin Leonard — to become the second Texan in successive weekends to seize the British sporting headlines.

"It is a great field, everything in it deserves respect, and it's great for the game. Singpiel is one of the best horses in the world today — but I sure wouldn't swap my horse for any of them."

Onlookers who do not consider Helissio's work to be too strenuous, but reported the colt in grand condition since his warm-up in the Grand Prix de Saint-Cloud last month.

Helissio was certainly one of the most flamboyant winners of the Prix de l'Arc de Triomphe last autumn, but there remain question marks over whether he can show that same élan outside his homeland — especially on the fast going that he seems likely to encounter on Saturday.

That sort of ground at least suits Strategic Choice, third behind Lammtarra two years ago, but Paul Cole feels that his only prospect of success would be if a large hole were also to appear in it, swallowing Helissio, Singpiel and Plesiuski. "He has got no chance of winning," the trainer said. "He has a chance of a place at best."

It is a measure of the race's quality that the same would be true of numerous of its previous winners.

## WORLDWIDE

## THUNDERER

2.00 Northern Fleet, 2.30 Final Price, 3.00 Hires.  
3.30 Derring Bridge, 4.00 Walking-Tail, 4.30 Commanche Creek.

## GOING: GOOD TO FIRM

## SIS

## 2.00 LINCOLN MAIDEN HURDLE (22.500; 2m 40) (10 runners)

1-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
2-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
3-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
4-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
5-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
6-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)

## 2.30 WOODHOLM NOVICES HURDLE (22.500; 2m 40) (10 runners)

1-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
2-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
3-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
4-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
5-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
6-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)

## 3.00 SHOUTON HANDICAP CHASE (23.350; 2m 11) (10 runners)

1-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
2-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
3-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
4-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
5-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
6-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)

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JOCKEYS: A. McCoy, 35 winners from 137 rides, 25.5% H. Williams, 23 from 129, 17.8% M. Pines, 11 from 61, 17.9% D. Morris, 7 from 40, 17.5% D. Kennedy, 32 from 213, 15.0%

## 3.30 WREXHAM HANDICAP HURDLE (22.750; 3m) (7 runners)

1-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
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5-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
6-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)

## 4.00 KINGTON NOVICES CHASE (23.000; 2m 41) (10 runners)

1-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
2-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
3-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
4-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
5-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
6-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)

## 4.30 CHAMPAGNE HANDICAP HURDLE (22.750; 2m 11) (10 runners)

1-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
2-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
3-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
4-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
5-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)  
6-6-48 BALDWIN (5) (J. O'Shea 5-11-5) Michael Brown (7)

## BUNKERED FIRST TIME: Worcester, 2.00 Bid For 3, Hadden Power, 2.30 Bid For 3, 3.30 Shirehampton, Yarmouth: 3.45 Moorish, 4.45 Ashford, 5.45 Colby, 6.45 Dunsford.

## RACING AHEAD

Robert Wright suggests the best value in the ante-post market

## KING GEORGE VI AND QUEEN ELIZABETH DIAMOND STAKES

Ascot, July 26

## GUIDE TO THE PRICES

	6-4	6-4	13-8	6-4
Helissio	6-4	6-4	13-8	6-4
Singpiel	6-4	6-4	13-8	6-4
Plesiuski	6-4	6-4	13-8	6-4
Strategic Choice	6-4	6-4	13-8	6-4
Strategic Choice	6-4	6-4	13-8	6-4
Strategic Choice	6-4	6-4	13-8	6-4
Strategic Choice	6-4	6-4	13-8	6-4
Strategic Choice	6-4	6-4	13-8	6-4
Strategic Choice	6-4	6-4	13-8	6-4

## Crystal Hearted springs surprise

THE Derby form was turned upside down as Crystal Hearted sprang a surprise in the £300,000-added Tennent Caledonian Scottish Classic at Ayr yesterday. Sent off the 8-1 outsider of the race for the group three contest, he showed plenty of spirit to win by a neck.

Tony McGee had cleverly dictated the pace on the colt and kept something up his sleeve for the closing stages.

Fahris, the 6-5 on favourite, mounted a strong challenge but was unable to muster the extra required to get past Even Top and moved up menacingly on the far side, but did not appear to find a great deal and was three-quarters of a length further back in third.

Crystal Hearted finished twelfth, almost 30 lengths behind the sixth-placed.

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## YARMOUTH

THUNDERER

2.15 Mezzoromo 3.45 MARCH CRUSADER (nap)

2.45 Kite 4.15 Clef of Silver

3.15 Awesome Wells 4.45 Dalwhinnie

The Times Private Handicapper's top rating: 4.15 CLEF OF SILVER.

Our Newmarket Correspondent: 2.45 Kite, 3.15 Awesome Wells, 4.15 BABANINA (nap).

## GUIDE TO OUR RACECARD

Racing number Draw in brackets (S) figure course and distance winner (F) beaten (B) in last race (P) on which horse has won (D) — dam (M) — mare (G) — gelding (H) — horse (J) — jockey (K) — trainer (L) — owner (N) — name (O) — odds (P) — place (Q) — prize (R) — race (S) — season (T) — time (U) — track (V) — venue (W) — weight (X) — year (Y) — age (Z) — sex (AA) — sire (AB) — dam (AC) — grandsire (AD) — granddam (AE) — great-grandfather (AF) — great-grandmother (AG) — great-grandfather (AH) — great-grandmother (AI) — great-grandfather (AJ) — great-grandmother (AK) — great-grandfather (AL) — great-grandmother (AM) — great-grandfather (AN) — great-grandmother (AO) — great-grandfather (AP) — great-grandmother (AQ) — great-grandfather (AR) — great-grandmother (AS) — great-grandfather (AT) — great-grandmother (AU) — great-grandfather (AV) — great-grandmother (AW) — great-grandfather (AX) — great-grandmother (AY) — great-grandfather (AZ) — great-grandmother (BA) — great-grandfather (BB) — great-grandmother (BC) — great-grandfather (BD) — great-grandmother (BE) — great-grandfather (BF) — great-grandmother (BG) — great-grandfather (BH) — great-grandmother (BI) — great-grandfather (BJ) — great-grandmother (BK) — great-grandfather (BL) — great-grandmother (BM) — great-grandfather (BN) — great-grandmother (BO) — great-grandfather (BP) — great-grandmother (BQ) — great-grandfather (BR) — great-grandmother (BS) — great-grandfather (BT) — great-grandmother (BU) — great-grandfather (BV) — great-grandmother (BW) — great-grandfather (BX) — great-grandmother (BY) — great-grandfather (BZ) — great-grandmother (CA) — great-grandfather (CB) — great-grandmother (CC) — great-grandfather (CD) — great-grandmother (CE) — great-grandfather (CF) — great-grandmother (CG) — great-grandfather (CH) — great-grandmother (CI) — great-grandfather (CJ) — great-grandmother (CK) — great-grandfather (CL) — great-grandmother (CM) — great-grandfather (CN) — great-grandmother (CO) — great-grandfather (CP) — 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great-grandmother (KI) — great-grandfather (KL) — great-grandmother (KM) — great-grandfather (KN) — great-grandmother (KO) — great-grandfather (KP) — great-grandmother (KQ) — great-grandfather (KR) — great-grandmother (KS) — great-grandfather (KT) — great-grandmother (KU) — great-grandfather (KV) — great-grandmother (KW) — great-grandfather (KX) — great-grandmother (KY) — great-grandfather (KZ) — great-grandmother (LA) — great-grandfather (LB) — great-grandmother (LC) — great-grandfather (LD) — great-grandmother (LE) — great-grandfather (LF) — great-grandmother (LG) — great-grandfather (LH) — great-grandmother (LI) — great-grandfather (LJ) — great-grandmother (LK) — great-grandfather (LL) — great-grandmother (LM) — great-grandfather (LN) — great-grandmother (LO) — great-grandfather (LP) — great-grandmother (LQ) — great-grandfather (LR) — great-grandmother (LS) — great-grandfather (LT) — great-grandmother (LU) — great-grandfather (LV) — great-grandmother (LW) — great-grandfather (LX) — great-grandmother (LY) — great-grandfather (LZ) — great-grandmother (MA) — great-grandfather (MB) — great-grandmother (MC) — great-grandfather (MD) — great-grandmother (ME) — great-grandfather (MF) — great-grandmother (MG) — great-grandfather (MH) — great-grandmother (MI) — great-grandfather (MJ) — great-grandmother (MK) — great-grandfather (ML) — great-grandmother (MM) — great-grandfather (MN) — great-grandmother (MO) — great-grandfather (MP) — great-grandmother (MQ) — great-grandfather (MR) — great-grandmother (MS) — great-grandfather (MT) — great-grandmother (MU) — great-grandfather (MV) — great-grandmother (MW) — great-grandfather (MX) — great-grandmother (MY) — great-grandfather (MZ) — great-grandmother (NA) — great-grandfather (NB) — great-grandmother (NC) — great-grandfather (ND) — great-grandmother (NE) — great-grandfather (NF) — great-grandmother (NG) — great-grandfather (NH) — great-grandmother (NI) — great-grandfather (NJ) — great-grandmother (NK) — great-grandfather (NL) — great-grandmother (NM) — great-grandfather (NN) — great-grandmother (NO) — great-grandfather (NP) — great-grandmother (NQ) — great-grandfather (NR) — great-grandmother (NS) — great-grandfather (NT) — great-grandmother (NU) — great-grandfather (NV) — great-grandmother (NW) — great-grandfather (NX) — great-grandmother (NY) — great-grandfather (NZ) — great-grandmother (OA) — great-grandfather (OB) — great-grandmother (OC) — great-grandfather (OD) — great-grandmother (OE) — great-grandfather (OF) — great-grandmother (OG) — great-grandfather (OH) — great-grandmother (OI) — great-grandfather (OJ) — great-grandmother (OK) — great-grandfather (OL) — great-grandmother (OM) — great-grandfather (ON) — great-grandmother (OO) — great-grandfather (OP) — great-grandmother (OQ) — great-grandfather (OR) — great-grandmother (OS) — great-grandfather (OT) — great-grandmother (OU) — great-grandfather (OV) — great-grandmother (OW) — great-grandfather (OX) — great-grandmother (OY) — great-grandfather (OZ) — great-grandmother (PA) — great-grandfather (PB) — great-grandmother (PC) — great-grandfather (PD) — great-grandmother (PE) — great-grandfather (PF) — great-grandmother (PG) — great-grandfather (PH) — great-grandmother (PI) — great-grandfather (PJ) — great-grandmother (PK) — great-grandfather (PL) — great-grandmother (PM) — great-grandfather (PN) — great-grandmother (PO) — great-grandfather (PP) — great-grandmother (PQ) — great-grandfather (PR) — great-grandmother (PS) — great-grandfather (PT) — great-grandmother (PU) — great-grandfather (PV) — great-grandmother (PW) — great-grandfather (PX) — great-grandmother (PY) — great-grandfather (PZ) — great-grandmother (QA) — great-grandfather (QB) — great-grandmother (QC) — great-grandfather (QD) — great-grandmother (QE) — great-grandfather (QF) — great-grandmother (QG) — great-grandfather (QH) — great-grandmother (QI) — great-grandfather (QJ) — great-grandmother (QK) — great-grandfather (QL) — great-grandmother (QM) — great-grandfather (QN) — 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great-grandmother (TQ) — great-grandfather (TR) — great-grandmother (TS) — great-grandfather (TT) — great-grandmother (TU) — great-grandfather (TV) — great-grandmother (TW) — great-grandfather (TX) — great-grandmother (TY) — great-grandfather (TZ) — great-grandmother (UA) — great-grandfather (UB) — great-grandmother (UC) — great-grandfather (UD) — great-grandmother (UE) — great-grandfather (UF) — great-grandmother (UG) — great-grandfather (UH) — great-grandmother (UI) — great-grandfather (UJ) — great-grandmother (UK) — great-grandfather (UL) — great-grandmother (UM) — great-grandfather (UN) — great-grandmother (UO) — great-grandfather (UP) — great-grandmother (UQ) — great-grandfather (UR) — great-grandmother (US) — great-grandfather (UT) — great-grandmother (UU) — great-grandfather (UV) — great-grandmother (UW) — great-grandfather (UX) — great-grandmother (UY) — great-grandfather (UZ) — great-grandmother (VA) — great-grandfather (VB) — great-grandmother (VC) — great-grandfather (VD) — great-grandmother (VE) — great-grandfather (VF) — great-grandmother (VG) — great-grandfather (VH) — great-grandmother (VI) — great-grandfather (VJ) — great-grandmother (VK) — great-grandfather (VL) — great-grandmother (VM) — great-grandfather (VN) — great-grandmother (VO) — great-grandfather (VP) — great-grandmother (VQ) — great-grandfather (VR) — great-grandmother (VS) — great-grandfather (VT) — great-grandmother (VU) — great-grandfather (VV) — great-grandmother (VW) — great-grandfather (VX) — great-grandmother (VY) — great-grandfather (VZ) — great-grandmother (WA) — great-grandfather (WB) — great-grandmother (WC) — great-grandfather (WD) — great-grandmother (WE) — great-grandfather (WF) — great-grandmother (WG) — great-grandfather (WH) — great-grandmother (WI) — great-grandfather (WJ) — great-grandmother (WK) — great-grandfather (WL) — great-grandmother (WM) — great-grandfather (WN) — great-grandmother (WO) — great-grandfather (WP) — great-grandmother (WQ) — great-grandfather (WR) — great-grandmother (WS) — great-grandfather (WT) — great-grandmother (WU) — great-grandfather (WV) — great-grandmother (WW) — great-grandfather (WX) — great-grandmother (WY) — great-grandfather (WZ) — great-grandmother (XA) — great-grandfather (XB) — great-grandmother (XC) — great-grandfather (XD) — great-grandmother (XE) — great-grandfather (XF) — great-grandmother (XG) — great-grandfather (XH) — great-grandmother (XI) — great-grandfather (XJ) — great-grandmother (XK) — great-grandfather (XL) — great-grandmother (XM) — great-grandfather (XN) — great-grandmother (XO) — great-grandfather (XP) — great-grandmother (XQ) — great-grandfather (XR) — great-grandmother (XS) — great-grandfather (XT) — great-grandmother (XU) — great-grandfather (XV) — great-grandmother (XW) — great-grandfather (XX) — great-grandmother (XY) — great-grandfather (XZ) — great-grandmother (YA) — great-grandfather (YB) — great-grandmother (YC) — great-grandfather (YD) — great-grandmother (YE) — great-grandfather (YF) — great-grandmother (YG) — great-grandfather (YH) — great-grandmother (YI) — great-grandfather (YJ) — great-grandmother (YK) — great-grandfather (YL) — great-grandmother (YM) — great-grandfather (YN) — great-grandmother (YO) — great-grandfather (YP) — great-grandmother (YQ) — great-grandfather (YR) — great-grandmother (YS) — great-grandfather (YT) — great-grandmother (YU) — great-grandfather (YV) — great-grandmother (YW) — great-grandfather (YX) — great-grandmother (YY) — great-grandfather (YZ) — great-grandmother (ZA) — great-grandfather (ZB)



CRICKET

# Gatting holds up Warne to ensure spoils are shared

BY JOHN THICKNESSE

LORD'S (final day of three): Middlesex drew with the Australians

THE Australians came closer to beating Middlesex than seemed possible yesterday in conditions so much in favour of the bat at Lord's and the twin agents, yet again, were Shane Warne, their great wrist spinner, and Mark Taylor, through imaginative captaincy. That Middlesex were 74 ahead with four wickets standing at the finish was misleading. When Keith Dutch was sixth out at 163, torpedoed by a grubber from Mark Waugh, their lead was only 36 with a possible 17 overs remaining.

Thankfully for their self-esteem, they were saved from further anxiety by Richard Johnson, who belted 27 off 28 balls and, with a

resolute Keith Brown, lifted the score above the point where Taylor thought that the Australians retained any chance of winning.

About 34 hours earlier, Middlesex were apparently playing out a draw without coming under pressure. Then, with the score on 45, Warne was introduced for the sixteenth over.

Australia's declaration at 432 for seven, with Mark Waugh 142 not out, left Middlesex a deficit of 127 runs to clear, but, in the early stages, the ball ran kindly for Waugh and Pooley, the left-handed opener, and Middlesex appeared to be in little danger.

After Warne's first seven overs from the Nursery End, however, they were 71 for three, his own figures being three for 16. The pitch was true and possessed nothing extra in the way of pace, while, after two innings totalling 214 overs, the rough outside the right-handers' leg stump was no more than could be expected.

Warne's sparing use of the googly and flipper suggest that he

may not be quite the bowler that he was in 1993, on his first tour of England, but he still has enough variety, not to mention control, to be a match-winner in most conditions. Yesterday was almost a case in point.

The main merit of his second ball to Weekes, which was overpitched, was that it was straight enough for the resultant drive to come back at him for a stinging catch. In his second over, though, Warne produced a stunner to bowl Pooley. Delivered over the wicket into the rough, it turned a foot and bowled him through the gate.

At 50 for two, Gatting made survival his priority, pushing forward to Warne whenever the chance offered. Ramprakash, though, was always looking to pull or sweep when appropriate and, at 71, undecided how to treat a leg break pitching middle stump, he edged it to the wicketkeeper.

In the next over, Shah was out leg-before off the front foot and Middlesex were 72 for four, but they appeared safe enough again when Gatting — looking to attack after taking 70 minutes over his first 16 runs — helped Brown to see Warne off at 151 for four, by when his figures were three for 55.

Perhaps Taylor thought that the game was up, perhaps he was fading — in any case, at 156, he brought on the Waugh, who obliged by taking a wicket in each of their first overs. Three short of his second fifty of the match, Gatting was leg-before, pushing forward to Steve in the next over. Dutch, on the back foot, had no defence to a ball from Mark that hardly left the ground.

Thanks to Johnson, the Australians made no further progress, but it was a good match for them overall. They will not be short of confidence at Headingley.

When the Australians batted on first thing in the morning, Middlesex did their best to frustrate Mark Waugh and Warne by bowling only 17 overs in 80 minutes to run-saving fields. However, after a tentative 50 minutes against Fraser and Bloomfield with the new ball, they put the time to good use, adding 81 through a late assault, particularly on Dutch, the off spinner, whose two overs cost him 24.



Brown is hit by a ball from Kaspravic, the Australian fast bowler, at Lord's yesterday

## Ali proves winning attraction

BY IVO TENNANT

TAUNTON (final day of three): Pakistan A beat Somerset by five wickets

PAKISTAN A achieved their initial first-class victory of their tour of England yesterday, requiring only 45 overs to make the 196 runs they needed to beat Somerset.

Some of their strokeplay was bewitching and there were few instances of indiscipline among their upper and middle-order batsmen. Ali Naqvi, who should play regularly at the highest level in the not-too-distant future, struck a classy 96 at almost a run a ball, failing to reach a deserved century only because of impetuosity that he had not shown thus far this summer. His innings was full of wristy flicks off his legs and drives that, for a wiry man, were powered to the boundary. He had struck 18

four when, attempting another that would have brought up his hundred in style, he peevishly drove Magill, the Australian wrist spinner, to extra cover. It was quite unnecessary, for he was finding the gaps in the field with disdial.

The other innings that bespoke class was played by the captain, Muhammad Wasim, who added 64 in 11 overs with Ali. He did not think much of his dismissal, caught at the wicket off Magill, but that probably had something to do with a concern that the match was slipping away from the Pakistanis. They were 175 for five at this point, still needing a further 56.

They achieved these runs without further loss through an unbeaten 47, including ten fours, by Rana Qayyum, who was given the necessary support by the voluble wicketkeeper, Javed Qadeer. Shine

was spent by then. He had taken two wickets in the morning, knocking out Mujahid Janshah's off stump with a beauty that swung away and having Farhan Adil caught driving too uppishly off his legs, but it was a hot day and there was nothing in the pitch for him or Jones, the Bristol rugby full back, who gained a wicket on his debut by bowling Saleem Elahi.

The Pakistanis appreciated the quick outfield. They struck 41 fours yesterday. Magill is highly regarded in Australia, but he bowled too many loose balls here. He tried bowling round the wicket and did gain one of his two wickets in that manner, but he will not have impressed everybody that he is. Mushtaq Ahmed's natural successor, should it come to that at the end of next season. It was an excellent match.

## Resolute Brown personifies players' player

MICHAEL HENDERSON



Line and Length

Cricketers, by and large, are a decent lot. They work long hours for little money and spend much of their time waiting for the weather to clear or the traffic to shift. Few achieve glory. For many, the occasional mention in *The Times* or *The Daily Telegraph* — "Jones batted with commendable vigilance" — represents a significant triumph. It proves they exist.

If you were looking for the qualities that mark out the best type of cricketer — and there are plenty about — no matter what you might read from time to time — they would be candour, a strange compound of crabbiness and generosity, gallows humour and, where the press is concerned, considerable tolerance. In this mutually dependent world, the feckless and the self-interested are soon exposed.

Angus Fraser said the other day that when Mark Taylor made his career-prolonging hundred in the first Test at Edgbaston, the Middlesex dressing-room "broke into applause. That is not so surprising. The Australian captain is a players' player, so they were really honouring one of their own."

There are players' players in every dressing-room, but, unlike Taylor, who has enjoyed a glittering life in Test cricket, they rarely make headlines. Agents don't come running. Sponsors forget their names. At times, they must feel invisible, but they turn up every day without complaint, get on with the job and take pleasure in their own accomplishments.

Keith Brown is one. He is 34 now, has been around since 1984 and has had to scrap for everything he has got. Yet if you look at the championship table, you will note that Middlesex are once again challenging. Their method has always been to play proper cricket, to bowl the other side out twice. That means playing five bowlers and getting their runs from the top six — five batsmen and a wicketkeeper. For the past six years, the stumper has been Brown and he has grown into the job to the point that his bowlers will not hear a word said against him.

Brown succeeded Paul Downton behind the stumps full-time in 1992, holding off a challenge from Paul Farbrace, whom Middlesex had recruited from Kent as a possible successor. Brown's runs confirmed his right to a place and he has become the best sort of pro — hard-boiled, to be sure, yet a good and modest man. "You have to work out what is best for you," he says, matter-of-factly.

He first played in the championship year of 1985, but it was not until 1990, another championship

season, that he became a regular pick. "Paul Downton got injured and they asked me if I would put the gloves on. I had kept before in the seconds and when Downton was away playing for England, but it was quite difficult keeping to bowlers like Embury and Tufnell. I found more balls beating the bat than I was used to and it took a while to feel comfortable."

With experience came confidence. In his batting, too, he has found a way that works for him and he gives good value at No 6, often making runs when they are most needed. "I can't stroke the ball around like Ramprakash, but I know what is best for me. Normally you find that the wicketkeeper is an unorthodox batsman." To be fair, Brown is not that unorthodox. He gets stuck in, plays to the limit of his ability and doesn't make a gift of his wicket. No captain could want more.

In his early days, he turned to the likes of Graham Barlow and Clive Radley — "my hero" — in a dressing-room where punches have never been pulled and where nobby-pamblers have found little comfort. Now he finds himself a senior pro, having outlasted all except Mike Gatting.

"I am glad I chose cricket for my career, but it's not all fun and games. There is a lot of hard work and a lot of suffering for your family. Last month, we went to Cardiff, Bristol and Leeds and your family life is affected."

There are happy days along the way, of course, and Brown can reflect on the three championship trophies that he has helped Middlesex to win — three more like the captain of England is likely to know. As all eyes turn to Headingley and the fourth Test, it is a good time to remember those who also serve.

## Law makes best of exile in Essex

Barney Spender on a talented Australian feeling left out of the touring team's set-up

For Stuart Law, this summer is a tantalising mix of pleasure and pain. On one hand, he is enjoying another profitable campaign with Essex; on the other, the proximity of the Australia touring team is a constant reminder that he might easily have been playing against England.

Unfortunately for Law, he was not selected for the party and has had to watch a string of failures by Michael Bevan and wonder. "It's a sign of Australia's strength I suppose that we have got about 14 guys who could step in," he said. "Look at Darren Berry. He came over here to see a mate and now he's in the squad. Nice holiday. I was more disappointed than surprised at being left out. I suppose I'm getting used to being a make-shift player."

The strength in depth of Australian cricket has restricted Law to a single Test, where he made an undefeated half-century against Sri Lanka. Otherwise, his performances on the international stage have been limited to one-day matches.

"It's always great to represent your country, but I seem

to have been labelled a one-day specialist, which is pretty irritating because I reckon I have a lot to offer in the longer game," he said.

It must be especially irritating for a player who has performed consistently for Queensland over the past five years and captained them to their first Sheffield Shield triumph. In spite of his rejection, he remains in touch with the touring team. He visited them on the washed-out first day of the Lord's Test and sees the destiny of the Ashes as being all but decided.

"I was as sick as any Aussie can be when England won the one-dayers 3-0 and then the first Test, but it's going to be a real uphill battle for them now. Probably the only way they can win is to get the Aussies down to the pub the evening before each day's play and keep them there."

Law the batsman can be a combination of artist, technician and bully, a heady cocktail reflecting three influences — Greg Chappell, Marlin

Crowe and Vivian Richards. "I like to dominate, to attack from ball one. It's the Aussie way, but they are positive at Essex, too, which has made it easier for me."

Law made a considerable impression in his first year with the county last season. As a replacement for Mark Waugh, he made five championship centuries and helped Essex to the final of the NatWest Trophy, although he missed their humiliating de-

feat in the final after his call-up to the Australia side for a one-day series in Sri Lanka.

This season, he has taken hundreds off Durham and Derbyshire, but a recent newspaper article suggesting that Waugh would be back at Chelmsford next season has given him cause for concern.

"That's obviously up to the club," he said. "I replaced Mark and I don't think I have let anyone down. Maybe the journalist was just trying to brew up a storm in a teacup, but it certainly got me thinking. But my mind has been put at rest after chatting with Keith Fletcher [the coach] and Paul Prichard [the captain] through the last week and so far as I'm concerned, I'm happy about where I'll be playing cricket next season."

If Essex did turn to Waugh again, a number of county secretaries would certainly be inquiring after his services. "I am a professional cricketer. I've got to play cricket and if it's not for my country then I have to sort myself out elsewhere. If another county wanted my services, then obviously I would have to consider it — but I would find it hard to leave Essex."



Law: overlooked

## SHEEHAN on BRIDGE

BY ROBERT SHEEHAN, BRIDGE CORRESPONDENT

In general it is correct to lead low in your partner's suit when you hold three or more cards headed by an honour. I gave an exception a few weeks ago where there was a danger of a blockage. Another exception occurs when the length in the suit is likely to be held by dummy. This is an example, from this year's Spring Foursomes (the main British weekend event).

Dealer East	North-South game	IMPs
<p>           ♠ A 7 3 2            ♥ K 4            ♦ A K Q            ♣ K 8 6         </p>	<p>           ♠ Q            ♥ Q J 10 7 8            ♦ 10 2            ♣ A J 10 7 4         </p>	
<p>           ♠ 10 9 8 5            ♥ 9 8            ♦ 8 4            ♣ 9 8 3 2         </p>	<p>           ♠ K J 4            ♥ A 8 6 2            ♦ J 7 6 5 3            ♣ 5         </p>	
<p>           S Pass            W 3 NT            N Pass            E 3 NT         </p>	<p>           S Pass            W Pass            N Pass            E 3 NT         </p>	<p>           2 H            3 C            Pass         </p>

Contract: Three No-Trumps by South. Lead: queen of clubs.

Purists will shudder at East's antics. Two Hearts was a weak two, and the classical view is that once you have opened with a pre-empt you should then leave further action up to your partner. However, when Two Hearts went round to North, Brian Senior (East) took the opportunity to show his second suit. Just as well, as it led to our side winning the board. Over South's Three Diamonds North should just have bid 3NT. His probe with Three Hearts resulted in 3NT being played the wrong way up. (Four Spades is also a sound North-South contract.)

I was on lead from the West

### WORD-WATCHING

By Philip Howard

GRIMPEAN  
a. To climb  
b. A bog  
c. A POW camp

WULLEE  
a. A wraith  
b. A saint  
c. A seafish

DIKETONE  
a. Mechanical music pitch  
b. A Spartan judge  
c. A carbon compound

CHYLE  
a. Biliious milk  
b. The back of a hog  
c. A mountain ridge

Answers on page 46

## KEENE on CHESS

BY RAYMOND KEENE, CHESS CORRESPONDENT

### Najdorf remembered

Today I continue my homage to the Polish/Argentinian grandmaster Miguel Najdorf, who died earlier this month at the age of 87. On his day, Najdorf was equal to the best, as witnessed by his wins against such titans of the chessboard as Bobby Fischer, Mikhail Tal, Mikhail Botvinnik, Tigran Petrosian and Paul Keres.

What Najdorf lacked was the support of a mighty state machine, which benefited the ranks of Soviet grandmasters he had to face in international competition. Today's game shows what Najdorf could achieve when he was inspired.

White: Miguel Najdorf  
Black: Tigran Petrosian  
Zurich 1953

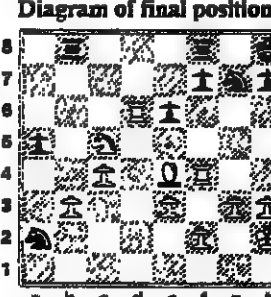
### King's Indian Defence

1 d4	d5
2 c4	d6
3 Nf3	g6
4 g3	Bg7
5 Bg2	0-0
6 0-0	Nc6
7 Nc3	Bg4
8 N3	Bd3
9 Bx3	Nd7
10 Bg2	f6
11 Bxb7	Rb8
12 Bg2	c5
13 e3	Nb6
14 Qc2	Nb5
15 Bc2	Nb5
16 B3	Qd7
17 Kh2	Nc6
18 Rad1	Nd8
19 Be1	Nh8
20 N4c	Qc8
21 Bc3	Bxc3
22 Nx2	Qf5

23 Qd5	gxf5
24 Rf5	Nb6
25 Rf5	Nb4
26 Rf5	Nb7
27 Rf4	N5
28 Rf4	e6
29 Rd1	Rb6
30 N4c	Rb6
31 Be4	Nb7
32 Rf6	Nb2
33 Nc5	

Black resigns

### Diagram of final position



### Mind Sports Olympiad

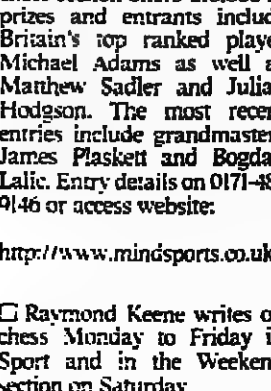
The first Mind Sports Olympiad, featuring over 30 different thinking sports will take place at the Festival Hall, London, from August 18 to 24. The chess section offers £10,000 in prizes and entrants include Britain's top ranked player Michael Adams as well as Matthew Sadler and Julian Hodgson. The most recent entries include grandmasters James Plaskett and Bogdan Lalic. Entry details on 0171-885 9146 or access website:

<http://www.mindsports.co.uk/>

### WINNING MOVE

By Raymond Keene

White to play. This position is from the game Portisch-Reshevsky, Petropolis 1973. White has a powerful build-up on the kingside and Black has no counterplay whatsoever. How did White blast his way through?



Solution on page 46

### YESTERDAY'S SCOREBOARDS

#### Toddy's Challenge Series

**Middlesex v Australians**  
LORD'S (final day of three): Middlesex drew with the Australians  
MIDDLESEX: First Innings 335 (M W Gatting 25, M R Ramprakash 76, G D McGrath 4 for 61)  
Second Innings  
P N Weekes c and b Warne ... 28  
J C Pooley b Warne ... 20  
M R Ramprakash c Healy b Warne ... 16  
M W Gatting lb b S R Waugh ... 47  
C A Shah lb b Kaspravic ... 4  
R R Brown not out ... 48  
A P Dutch b M E Waugh ... 27  
J L Johnson not out ... 11  
Extras (b 4, lb 5, nb 2) ... 11  
Total (5 wickets) ... 201  
FALL OF WICKETS: 1-45, 2-50, 3-71, 4-122, 5-153  
BOWLING: McGrath 11-3-37-9, Gillespie 13-6-32-0, Warne 16-4-55-3, Kaspravic 6-1-10-1, M E Waugh 7-1-37-1, S R Waugh 5-2-13-1, Elliott 1-0-0-0

#### Second Innings

M T G Elliott c Brown b Dutch ... 63  
M A Taylor b Dutch ... 27  
G W Swales not out ... 40  
N E Waugh not out ... 42  
S R Waugh c Gatting b Johnson ... 67  
R T Ponsford c Shah b Tufnell ... 11  
A A Healy c Pooley b Bloomfield ... 16  
S K Warne c Pooley b Dutch ... 39  
Extras (b 2, lb 10, w 1, nb 10) ... 23  
Total (7 wickets) ... 232  
J N Gillespie c D M S Graham and M S Kaspravic did not bat

#### FALL OF WICKETS: 1-75, 2-154, 3-168, 4-271, 5-299, 6-341, 7-432

BOWLING: Fraser 29-6-115-0, Bloomfield 17-5-71-1, Johnson 17-2-63-1, Tufnell 38-9-106-2, Dutch 15-3-79-3  
Extras: A A Jones and A G T Whitehead

#### Tour match

**Somerset v Pakistan A**  
TAUNTON (final day of three): Pakistan A beat Somerset by two wickets  
SOMERSET: First Innings 213 (S C Ecclestone 102)  
Second Innings 244 (M N Lathwell 60)  
PAKISTAN A: First Innings 227 (Saleem Elahi 70, Mujahid Janshah 59, K J Shine 6 for 74)  
Second Innings  
A J Naqvi c Jones b Magill ... 96  
Saleem Elahi b Jones ... 14  
Mujahid Janshah b Shine ... 14  
Farhan Adil c Lathwell b Shine ... 9  
Muhammad Wasim c Sutton ... 40  
b Magill ... 47  
Raza Chayum not out ... 13  
Javed Claider not out ... 13  
Extras (b 2, w 1, nb 4) ... 7  
Total (5 wickets) ... 281

#### FALL OF WICKETS: 1-41, 2-72, 3-100, 4-184, 5-175

BOWLING: Shine 20-5-57-2, Kerr 9-1-46-0, Magill 19-3-74-2, Jones 3-1-18-1, Parsons 4-0-23-0, Bowler 0-5-11-0  
Extras: J C Baldstone and P Adams  
ASIA CUP (50 overs) Colombo: Pakistan v India. Match abandoned (pitch dry)

#### Can we improve your bottom line

G'men you blues  
ITF starts July 28th.

See Mercury on page 27



esolute Brown  
personifies  
layers' player

# GOLF

## Balance of power tilts towards United States

IT WOULD be stretching a point to say that the Open Championship, which ended at Royal Troon on Sunday evening was one that will live on in the memory, worthy of comparison with Royal St George's in 1993 and St Andrews two years later. There was too much bad play on the last afternoon and perhaps the burden of expectation on so many of the game's best players was too cumbersome.

With so many of them seemingly at their best on the eve of the championship, the 126th Open could have been memorable with three, four or five of the leading names going hammer and tongs at one another on Sunday afternoon, as happened in the US Open a month earlier.

It turned out very differently. It was almost as if Tom Lehman, the defending champion, who had won so well at Loch Lomond the week before, Ernie Els, the victor in the US Open, and Colin Montgomerie, who had played so well for two months up to the Open, had all peaked too soon. At Troon, Greg Norman and Montgomerie, in particular, were shadows of the men they had been in previous weeks.

Only one man of the leading 18 after 54 holes managed a fourth round below 70. It was fitting that he was the winner, Justin Leonard, and that he did it spectacularly with a round that was six under par.

His 65, underpinned by a breathtaking display of putting, was a score that suggested that he went out and grabbed hold of the old claret jug as champions are supposed to do, yet many of those against whom he was competing were disappointed as the championship reached its conclusion. In the last round, Darren Clarke, Fred Couples, Jesper Parnevik, Tiger Woods, Peter Lonard, Tom Watson, Curtis Strange and Greg Norman all either equalled or exceeded their previous worst score in the championship.

The Open provided further confirmation that the balance of power in world golf is tilting towards the United States.

JOHN HOPKINS



Golf Correspondent

The emergence of Woods, the 21-year-old Masters champion, has given the game in the United States an unrivalled boost and the arrival of Leonard, 25, means that, in the past three months, the United States has produced two new winners of major championships who are under 30. As the US PGA Championship is more often than not won by Americans, it is likely that the fourth major of the year, which is at Winged Foot Golf Club in New York next month, will confirm this trend.

Justin Leonard has jumped six places to No 13 in the world rankings after his victory at Royal Troon. Tiger Woods remains top, ahead of Greg Norman, Ernie Els and Colin Montgomerie. Nick Faldo has dropped to No 14, his lowest for ten years.

Leonard's victory has also given the American Ryder Cup team a lift. He has jumped from tenth to third in the United States rankings, from the fringes to a certain place, and his presence in what otherwise looks like a competitively gauche team means a competitive experience, a level of skill and, most of all, a putting prowess that was not there before. No wonder Tom Kite, the United States captain, was so pleased to see Leonard win.

The Open also proved that the dangers of a carefully designed, 126-yard par three hole can be every bit as great as those of a back-breaking 220-yard monster. As it has in the previous six Opens at Troon, the Postage Stamp ensured its share of competitors. Significantly, Leonard aimed for the heart of the green, took two putts and walked off with a three in each of his four rounds. Significantly, Woods did not, his six at this little fiend of a hole on the last day, when it was not particularly difficult, marked the end of his challenge in the event.

"He'll learn," Michael Bonallack, the secretary of the Royal and Ancient golf club said of Woods. "He is a magnificent golfer, but he tried to attack the course on the front nine holes in the first round and got into all sorts of trouble."

Patience is a virtue with which Woods is not yet familiar. It is hard for young men with prodigious talent to be cautious because, at that age, they have not learnt that there are some things unattainable even for them.

Jack Nicklaus found this on the 11th hole of the 1962 Open at Troon, his first Open, when he was 22. He took a ten then and finished 34th. Woods's six at the Postage Stamp on Sunday should be forever stamped in his memory. That and the seven at the 11th in the first round and the eight at the 10th in the second round were the holes that cost him dearly.

Barclay Howard, 44, who won the silver medal awarded to the leading amateur, experienced some post-Open mania when he returned home on Sunday night. Howard found the wave of congratulatory telephone calls was becoming unmanageable and unstoppable. The only thing he could do was to disconnect his telephone.

Yet that was only the half of it. When he reported for work at the John Letters factory outside Glasgow yesterday morning, he found that a copy of the silver medal had been pinned up in the office and any intentions he might have had of putting in a good day's work disappeared beneath yet another barrage of congratulations.

No doubt Leonard will have found the same thing happening to him the moment he reached home in Dallas after an early flight from Scotland. Leonard, who has been a professional since 1994, showed maturity and composure in victory and looks as though he has been booed and spurred for fame. Now, his world has been turned upside down. How well he copes with it will reveal whether or not he will become a great champion.



Montgomerie: forlorn



Woods: dejected

## Edwards allays fitness fears

JONATHAN EDWARDS yesterday dismissed doubts that he will be fit enough to compete at the world athletics championships in Athens next month. A heel injury forced the triple jump world record-holder to miss two international meetings and the British trials for Athens nine days ago.

Edwards, who will compete in Budapest on Saturday in the last meeting before the world championships, said: "The injury is not causing me any major problem. My training has been going very well, but, as a precautionary mea-

### IN BRIEF

sure, I missed a couple of meetings."

Swimming: Great Britain have added five names to the team for the European championships in Seville next month after the ASA national championships. They are Ian Wilson, of City of Leeds, in the 1,500 metres freestyle, and four relay additions: Mark Stevens, of Newcastle St. Andrews, Glenn Hudson, of Portsmouth Northsea, Janine

Belton, of City of Bradford, and Linda Hindmarsh, of City of Leeds.

Rugby union: Neath yesterday completed their fourth overseas signing of the summer with the capture of John Hart, the Australian forward. He follows Tomasi Taniavili, of Fiji, and Thierry Deverge and Fabrice Landreau, of France, to the club.

Lacrosse: England beat Wales 18-5 in the European championships in Stockholm yesterday.

### FIXTURES

CRICKET  
Tour match (11.0, 50 overs)  
CHILTERNHAM: Gloucestershire v Pakistan A

SECOND XI CHAMPIONSHIP (first day of four)  
Cheshire-Leamington: Durham v Nottinghamshire; Pontypool: Glamorgan v Hampshire  
AON RISK TROPHY (one day): Canterbury: Kent v Sussex; Bedfordshire: Bedford School: Northamptonshire v Leicestershire  
MINOR COUNTIES CHAMPIONSHIP (first day of two): Blackhampton: Herefordshire v Cheshire

FOOTBALL  
Pre-season (11.0, 90 minutes)  
PRE-SEASON MATCHES: Carlisle United v Motherwell (7.45); Gillingham v Queens Park Rangers (7.45); Rotherham United v Barnsley (7.45); Scunthorpe United v Leicester City; West Bromwich Albion v Chelsea; Stoke City v Everton; Colchester United v Bolton Wanderers (7.45); Barnsley Rangers v York City; Stranraer v St Mirren.

OTHER SPORT  
SPEEDWAY: Elite League: Bradford v Wolverhampton (7.30); Amateur League: St Austell v Brixworth (7.30)  
TENNIS: Northern Pacific International Open (in Leamington) European under-16 championships (in Huddersfield); county championships (in Eastbourne).

## Crack shots make impression at Bisley



COMPETITORS had their sights set firmly on the Bisley Challenge Cup during a day of high-quality rifle shooting at Bisley yesterday. Dr Glyn Barnett, above, from Norfolk, one of 1,225 entrants shooting in perfect summer conditions, missed out on the trophy, but he lies in second

place in the Bisley grand aggregate, the overall championship.

Of the 159 contenders for the Times trophy who hit the 3½ in diameter bull's eye every time, eight fired all ten shots into the 1½ in diameter V-ring and will compete in a tie-break today. They

include Andy Chow, of Lloyds Bank RC, who will captain the Great Britain team to defend the world long-range championship in South Africa in 1999, and David Dodds, from Rand Rifle Club, a member of the South Africa world championship team.

### RUGBY LEAGUE: ST HELENS REFLECT IMPROVED EUROPEAN PERFORMANCES

## Cunningham adds to portfolio

Cronulla Sharks ..... 28  
St Helens ..... 12

By CHRISTOPHER IRVINE

A MONTH ago, St Helens suffered a 40-point hammering by Cronulla at Knowsley Road that was typical of many handed out by the Australians in the world club championship. St Helens were considerably better in the rematch at Shark Park yesterday, reflecting the general improvement in British performances in the competition.

Victories by Leeds Rhinos and Oldham Bears may have been quickly overtaken by defeats in the second phase of the competition, but not all those losses have been as crushingly one-sided as in the first phase and several Australian outfits have been stretched. Although Cronulla were deserved victors, the scoreline scarcely did justice to their spirited opponents.

It helped that St Helens were nearer to full strength and that Cronulla were miss-

ing several heavyweights from the first encounter. The Britons' defence was still threadbare at times and the Sharks gleefully fed off errors, but St Helens had the day's outstanding player in Keiron Cunningham, while Bobbie Goulding's accurate kicking pinned Cronulla back for long stretches.

Cunningham, the Great Britain hooker, scored a fine



Goulding: fine kicking

individual try in the first period and was only just prevented from adding another. He was a constant thorn in Cronulla's side from acting half back and certainly did his ambition to play in Australia no harm at all.

Without Peachey, Rogers and Barnett, who helped to rout St Helens in the first game, Cronulla were nowhere near as convincing. However, their back line was never properly tethered and, as hard as St Helens worked to plug one hole, another would usually open up. At the back of the defence, Haigh was successfully pinpointed as a weak link in three of their five touchdowns.

The try by Newlove, in the 69th minute, after neat footwork and a nippy break — for a big forward — by Joynr, was part of a good, sustained finish by St Helens, which was only spoilt in added time by Ettingshausen's second try.

Yet excellent build-up play by St Helens was not always matched by the final pass and twice in the first half they paid

for lapses in concentration. When three-against-one appeared to be a defensible situation, Bell escaped the clutches of Haigh and Hammond, cut inside and drove over Goulding. Haigh was again busy trying to put out one fire when another broke out, this time as Dykes kicked through a gap and touched down.

A penalty goal by Goulding reduced the arrears after half-time, but Donaghy found a yawning gap on the right for the next Cronulla try. When Haigh failed to regather a high kick by Green, the try by Ettingshausen off the resultant scrum was almost inevitable.

SCORERS: Cronulla: Tries: Ettingshausen (2), Bell, Dykes, Donaghy; Goals: Green (4). St Helens: Tries: Cunningham, Newlove; Goals: Goulding (2).  
Cronulla SHARKS: S. Barnett, G. Bell, A. Ettingshausen, R. Richardson, P. Donaghy, A. Dykes, P. Green, M. Lang, P. Fisher, J. Stevens, L. Davidson, C. McKenna, T. Newlove. Substitutes: C. Greenhill, W. Forrester, B. Howland, S. Preece.  
ST HELENS: A. Haigh, D. Arnold, A. Hurlie, P. Newlove, K. Subbaraj, S. Long, R. Goulding, J. O'Neill, K. Cunningham, A. Losham, G. Joynr, V. Moloney, K. Hammond. Substitutes: J. Hayes, D. McKiv, C. Morley, I. Pokuvala.  
Referee: G. Annemercy.

### BOXING

## Golota likely to be next test for Lewis

ANDREW GOLOTA is being lined up as the next opponent for Lennox Lewis, the World Boxing Council heavyweight champion (Srikumar Sen writes). If the bout is finalised — and with both boxers sharing the same promoters it is almost certain to be — it will take place in Atlantic City on October 4. Golota was one of the chosen opponents of HBO, the American cable television company that backs Lewis. The company knew that after the farce of Lewis's bout with Henry Akinwande nine days ago, they could be certain of a decent contest with Golota.

The challenger, who is a New Jersey-based Polish immigrant, is the roughest heavyweight in the division. He has been disqualified three times — once for biting Samson Pu'uha and twice for hitting Riddick Bowe below the belt.

Spencer Oliver is to defend his European super-bantamweight title against Michael Brodie later this year.

## Lydon urges curb on imports

By OUR SPORTS STAFF

JOE LYDON, the Rugby Football League technical director, yesterday called for a significant reduction in the number of overseas players in the English game. Lydon is heading a seven-man commission charged with examining all aspects of the domestic scene in the wake of heavy defeats suffered against Australasian clubs in the world club championship.

Lydon wants the overseas quota for Super League clubs cut from six to four from next season and reduced still further to three by 1999. He also recommends that clubs outside the top flight should be denied the use of overseas players altogether two years from now.

There are about 200 overseas players making a living in the English game and another influx is anticipated

when the rival leagues in Australia come together, probably in time for next season. Lydon's principal argument is that the mercenaries are not only taking places that should be filled by emerging British talent, but are also a drain on limited resources.

"A reduction in the overseas quota on these lines would enable clubs to manage their finances better, but more importantly, it would encourage the development of junior talent in this country," Lydon said. "We are looking at numerous issues, but this is a subject that recurs so many times. Along with salary capping, we see the overseas quota as the key priority and we'll be making our recommendation as a matter of urgency to the next meeting of the Rugby League Council."

Lydon and Neil Tunncliffe,

another member of the commission, are travelling to Australasia this week and will examine the rugby union set-up in New Zealand, paying particular attention to the Super 12 champions, Auckland Blues. They will also visit various sporting organisations in Australia, including the Canberra Institute of Sport.

Lydon will liaise with the international fixture planning committee to draw up a framework for future tours, in addition to finalising plans for the forthcoming Australia tour to England and the 1998 World Cup.

The former Wigan general manager will also watch British clubs in action in the last two rounds of the world club championship as he prepares a shortlist for the Great Britain coaching appointment.

### BOWLS

## Brown inspires Scotland triumph

SCOTLAND recaptured the British Isles women's under-25 team championship at Portrush yesterday when they added a convincing victory over Wales to wins against England and Ireland (David Rhys Jones writes).

The Scots, who lose three of their skips next year, will find it difficult to replace the experience of Fiona Sykes. Heather Rankin and Kirsteen Reilly. Fortunately for them, Anne Brown, from Crooksmoss, will be available

for one more series. An inspirational skip, she steered her quartet to wins of five, seven and 15 shots this year and has lost only one of her past 18 matches at this level.

It was a typically aggressive trail from Brown that conjured up a last-end six against Sam Smith yesterday to give her rink a 21-16 victory and boost the overall winning margin for Scotland to 86-64.

As expected, England, the defending champions, comfortably dispatched Ireland,

102-56, but the damage had been done earlier, when they had succumbed 90-66 to Scotland.

The junior singles final was won for Wales by Paula Summerfield, from Llandrindod Wells. Amy Gowsall, 18, from Grimsby, had clawed back bravely, showing character and skill, until she stood within four shots of victory before Summerfield placed her second bowl beside the jack on the 25th end to secure a 21-17 win.

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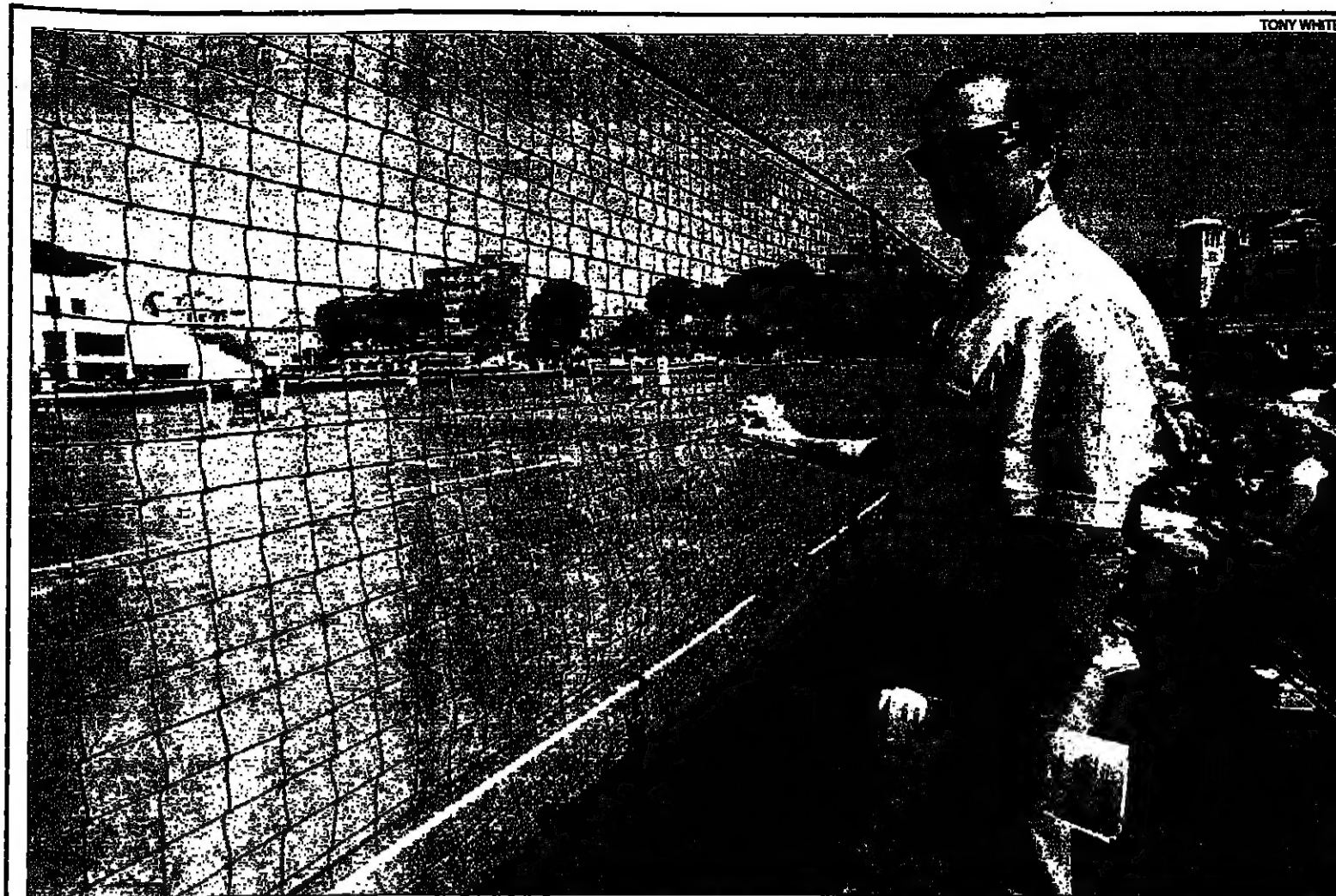
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James keeps a close eye on a match involving Loosemore and his beloved South Wales on the opening day of county week at Eastbourne

## Real value in survival of the week

IF EASTBOURNE is renowned as the pre-Wimbledon roost for the leading ladies in the world, it conjures vast different images for the stalwarts of county tennis. Despite audible obscenities, cries of anguish and a plethora of foot faults, the game was played yesterday much as it has been for more than 100 years. The Lawn Tennis Association Inter-County Cup Grass Court Championships — otherwise known as county week — is the highlight of the year for many true enthusiasts.

The absence of umpires, line-judges, ball-boys and any other trappings from the professional circuit means that the players play for nothing more than love. Disputes are minimal and quickly resolved — affording veterans the chance to advertise their experience to novice partners. "Welcome to county week," one said to a youngster momentarily affronted by a shocking call.

Of course, it is not all fun and games. Chris Wilkinson,

a member of the Great Britain Davis Cup team that was victorious recently against Ukraine, is a loyal supporter of county week. The British No 4 comprises a strong entry from Hampshire and Isle Of Wight. He is here to "relax from the travelling, see old friends and have a few beers". Wilkinson is also playing beautifully in tandem with his partner, Laurence Matthews. Matthews himself is over from Germany, where, like so many others in action this week, he works as a coach. Nick Neal, the British No 10, is also representing Hampshire and Isle Of Wight, who are favoured to triumph for the first time.

Indeed, there are a fair few baptisms taking place this week. The women of South Wales are playing at Eastbourne for the first time after winning promotion to group one last year. Eastbourne is one of 13 venues hosting this nationwide event and, while the Channel Islands, South of Scotland and the Isle Of Man dispute the wooden spoon in

### JULIAN MUSCAT



At County Tennis Week

group seven at Cambridge, Eastbourne is where the County Cup is won and lost. That explains the sense of pride that radiates from John James, the secretary of the Lawn Tennis Association, and is as entrenched in the soil of south Wales as one half of the Severn Bridge. James also has a deep affec-

tion for county week, having joined the LTA in 1973 with responsibilities towards the competition. "I have been waiting for this day for 25 years," James, formerly resident in Llanelli, said yesterday. "I once captained South Wales juniors for a year, but this is really something."

Throughout the week, James, 60, will journey to County Cup venues at Purley (today), Cheltenham (tomorrow) and Beckenham (Thursday). It may be more than coincidence that James will be back at Eastbourne for the conclusion of the event on Friday. He was thrilled that South Wales started on a winning note yesterday, defeating Leicestershire by five rubbers to four.

Three of those five victories were gained by Julie Simkins and Sarah Loosemore, the latter of whom was Britain's youngest national champion in 1988. Loosemore quit the circuit five years ago to further her education, graduating from St Hilda's, Oxford,

with a degree in psychology before studying law. Now in her second year as a trainee solicitor in London, she is still intrigued by how she might have fared had she continued playing full-time.

"I don't think I fulfilled my potential at tennis," Loosemore, 26, said. "At various times, I am tempted to return, but I think I'd need a push. Sometimes I think I should have gone to university later, but I made my decision. It is funny what becomes important when you stop and this week is probably the highlight of my year."

Competitive it may be, although vignettes never witnessed in the professional game are what make this week unique. When a thoroughly bemused Greg Whitecross, representing Buckinghamshire, took a fearful pasting from Wilkinson and his partner, he did what all beholden to his habit would do after a similar experience. He simply lay down by the side of the court and smoked a cigarette.

## Henman and Rusedski retain their lofty status

TIM HENMAN, the British No 1, retained No 18 place in the ATP Tour rankings that were issued yesterday, four places below his highest ranking, with which he began the year. Greg Rusedski, the British No 2, is back to No 24, his previous best position, after slipping one place last week. Neither man is in action this week.

Pete Sampras retains the No 1 spot

ahead of Michael Chang, the winner of the Washington Classic on Sunday. Chang took the Washington title for the second consecutive year, beating Petr Korda, of the Czech Republic, 5-7, 6-2, 6-1.

"This is a real good confidence-builder for me with the US Open just around the corner," Chang said. "In the past couple of months, I have been struggling. It's great to get off to

a good start on hard courts. This was a good stepping stone for me last year and I hope it will be again this year."

Victory in 1996 began a 14-match winning streak for Chang that ended with defeat by Sampras in the final of the US Open. "This time I'm hoping to go one better," Chang said.

In Mahwah, New Jersey, Anna Kournikova, 16, from Russia, threw away a winning chance against

Chandra Rubin, of the United States. In the A & P Women's Classic, Rubin won the third-set tie-break with the help of a double fault, winding up with a 6-7, 6-4, 7-6 victory.

"It was good to still be in the match after being down in every set," Rubin said. "I played more aggressively in the final two sets and hung in there, but she made a lot of errors. She tried too many risky shots."

## Tales of the riverbank

Wildlife on One  
BBC1, 8.00pm

The otter may be, as Sir David Attenborough's commentary claims, our most beloved mammal but many of us will never see one. The programme explains why the otter, once so common that it was hunted as vermin, is now so rare. One of the reasons is man-made, the widespread use of toxic pesticides which killed so much wildlife in streams and rivers. Pesticides are no longer employed, yet still there are many areas of Britain which are otter-free. Years of research by a biologist, Hans Krunk, has suggested some of the answers. Central to the otter's existence is catching enough fish to eat. This can mean long and exhausting journeys. But an otter's life is a short one, and its reproduction rate is low. Perhaps, as Krunk says, it is a wonder the otter has survived at all.

Home Ground: Slim Chance  
BBC2, 7.30pm

The latest regional documentary to be given national exposure features Sandra Williams from Barnstaple. Ever since she was a child she has been fat. Now, touching 50, she weighs in at nearly 21 stone, and has been told that her health is at risk. She goes on a medically supervised diet, where her meals consist of a sachet of powder mixed with water. Most such films end with the subject triumphantly displaying his or her new slim figure. Not this one. To begin with all goes well and the pounds come off. But estrangement from her daughter sparks an emotional breakdown and a return to the bingeing that caused the obesity. A medical expert warns of the severe dangers of being overweight but the Sandra Williams case demonstrates that the remedy is easier, prescribed than followed.

Tool Stories  
Channel 4, 8.00pm

The DIY series will continue to disappoint anybody hoping to pick up tips. The stories are the thing and the tools, and what to do with them, come a definite second. Which leaves George Herbert, the cheery south London builder who hosts the series, with little to do. Admittedly he is



The otter fights for survival (BBC1, 8pm)

called in to advise Nicole and Peter, the couple from Cumbria we met last week, on how to plaster a ceiling. But this hardly adds up to a tutorial for the rest of us. Meanwhile Hayley and Stephen, the soon-to-be-weds, are laying another floor. Progress is slow and tempers fray and, surprisingly, there is no George Herbert to help them out. The other featured couple, Donald and Paula from south London, have taken over a 100-year-old house in much need of repair. Their first task is to replace an awesomely large living room window.

True Stories: Lone Star Hate  
Channel 4, 9.00pm

In 1993 a young man called Nicholas West was abducted, tortured and shot to death in the small Texas town of Tyler. West was killed because he was a homosexual and Paul Yule's documentary explores the wider significance of the incident in an area where gay bashing is commonplace. The religious right preaches that gays are contrary to the Bible's teachings and, as one of West's killers says, "using a gun is no different from making a cake". In view of all this it comes as a surprise to discover that two of the three men involved in the murder have been sentenced to death. Even against such unpromising odds, it seems, justice has managed to prevail. Yule talks to the two men in prison, follows the trial of the third man and builds up a detailed and appalling picture of hatred, bigotry and casual violence. Peter Waymark

### RADIO CHOICE

Prison Britain  
Radio 4, 7.20pm

No preview tape was available of the first of the former Strangeways governor, Brendan O'Brien's three programmes about the prison service. My guess is that it will take no more than a cursory glance at recent headlines to find ample clues about what we will be hearing tonight and on the following two Tuesdays. O'Brien, who has just retired, has described his brief as an examination of penal policies from the mid-1960s, when he joined the prison service, to the present day. On paper, he and producer Kathleen Carragher have mustered an impressive company of experts to reinforce or challenge his views on what the penal priorities should be in the immediate and long-term future.

### RADIO 1

7.00am Kevin Greening 9.00 Simon Mayo 11.30 Radio 1 Roadshow from Morecambe 12.30pm Newsbeat 12.45 John Peel 1.30pm Radio 1 Breakfast 1.45pm News 2.00pm News 2.15pm News 2.30pm News 2.45pm News 3.00pm News 3.15pm News 3.30pm News 3.45pm News 4.00pm News 4.15pm News 4.30pm News 4.45pm News 5.00pm News 5.15pm News 5.30pm News 5.45pm News 6.00pm News 6.15pm News 6.30pm News 6.45pm News 7.00pm News 7.15pm News 7.30pm News 7.45pm News 8.00pm News 8.15pm News 8.30pm News 8.45pm News 9.00pm News 9.15pm News 9.30pm News 9.45pm News 10.00pm News 10.15pm News 10.30pm News 10.45pm News 11.00pm News 11.15pm News 11.30pm News 11.45pm News 12.00pm News 12.15pm News 12.30pm News 12.45pm News 1.00am News 1.15am News 1.30am News 1.45am News 2.00am News 2.15am News 2.30am News 2.45am News 3.00am News 3.15am News 3.30am News 3.45am News 4.00am News 4.15am News 4.30am News 4.45am News 5.00am News 5.15am News 5.30am News 5.45am News 6.00am News 6.15am News 6.30am News 6.45am News 7.00pm News 7.15pm News 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# Drama doesn't need dressing up, period

The recent public hand-wringing from the BBC over failed drama blockbusters such as the dismal *Rhodes* will, I hope, have consequences beyond the usual cleansing effects of confession. The lesson I hope the Corporation will learn is that, since all drama is by definition risky, why not take more risks with new drama and fewer with the costume variety?

If there were such a creature as a cultural bookie, he would certainly lay short odds on dramas taken from the classics, citing Jane Austen for proof. But Austen, and perhaps Hardy, are the safest of safe ground. Stray beyond it and you are taking big risks: not to mention spending big money, not those costumes, all those streets that need their 20th-century furniture removed.

Preston Front (BBC1) would not pretend to be *Pride and Prejudice* but if quality writing is the one key

factor in determining television success then *Preston Front* has it in spades. Yet who would have predicted, when the first series came along, that something this quirky could have caught the public imagination and caught the eye of awards judges (two best comedy gongs).

So this is the least likely success since *Last of the Summer Wine* and it has some of that shows idiosyncrasy. In particular the writing (by Tim Firth) has a literary quality usually absent from dramas featuring ordinary people. Yet the Lanchester ladies and lasses in *Preston Front*, which is loosely based around a Territorial Army unit, produce deadpan humour of a high quality.

The central character is still Hodge, who is played by Colin Buchanan, an actor more familiar to television audiences since *Dadziel and Pascoe* than he was when *Preston Front* began. Hodge

provides the core tension, surrounding the daughter he pretends is a god-daughter. But the strength of the series lies not in a particular actor or the story line, but in the ensemble performances. This cast has the feel of an old-style repertory company.

Whether that is deliberately planned or just the product of the way that Firth's writing never wastes a character is hard to say. What was evident last night, as before, is that Firth does not fall back on stereotypes. Lloyd (Adrian Hood) is a good example: dim but good hearted, most writers would leave him at that. But Firth gives him dignity, and wit: "All I ever go to do is jump off a dressing table to me mum and dad's bed... and I only got to do that once."

In this first episode Hodge was playing the well-intentioned dad, with predictable results. Young

## REVIEW

Peter Barnard



Kirsty was not impressed, and Hodge was forced to a conclusion most fathers will recognise: "I'm not a dad, I'm just a bloke who says wow a lot." Well, it is a start.

If *Preston Front* is back in the best of form, what is one to make of *Tiger Bay* (BBC1)? I suppose the start of two new series on the same channel on the same night in July should be a cause for gratitude and celebration, a reason to send a note

round to John Birt saying how much he deserves his pay rise. But I am not sure about *Tiger Bay*.

On the one hand, this must be an important series because it is accompanied by a press release whose cover contains a colour photograph, a sure sign that Auntie is pushing the boat out. And the programme is transmitted at 8.30, the peak of peak time. But I recognise something from the past in *Tiger Bay* and any moment now it will come back to me.

Ah yes, I know: it is the 1980s. Go on, you remember. The decade when yuppies were all the rage, when the standard dramatic device for showing the division between them and us was for a have-not to nick a BMW from one of those dockland estates where all the yuppies have bought a warehouse converted to a bijou residence.

I suppose there are still yuppies

buying BMWs and converted warehouses, but they seem a bit passe in terms of television drama. Tiger Bay is, of course, the docklands area of Cardiff, immortalised both in a film of the same name and as the home ground of Shirley Bassey. But when drama presumes to be contemporary, it needs to smack of this decade not the last one.

The characters? Too early to tell. The tabloid fuss will land doest surround Jan Anderson as a 16-year-old girl having an affair with a man aged 40, but episode one took that no further than the bedroom. In fact it did not take anything anywhere much.

Much more interesting drama was to be found in a factual programme, an account of the Tate Gallery transmitted on the very day of its centenary. Mr Tate's Gallery (BBC2) covered a lot of ground in

50 minutes and managed to combine the serious history with the frumpy of such controversies as the infamous pile of bricks. Happily the Tate (which has branches in Liverpool and St Ives) is not one of those institutions which can only claim to have a great future behind it, for in the millennium year its London base will be split in two, thus giving modern art its own home.

It has been quite a century: floods, war and controversy have ravaged the Tate, though none of these intruders has left any lasting wounds, least of all the controversy, which seems to me part and parcel of being a great gallery. An actress asleep in a glass case is not art to me, but the programme showed that magnificent Turner was as ridiculed in their time as some modern work is now. It would be a listless gallery that preserved a single definition of art in formaldehyde, so to speak.

## BBC1

- 6.00am Business Breakfast (20735)
- 7.00am BBC Breakfast News (18803)
- 9.00am Breakfast News Extra (1) (3253900)
- 9.20am Ready, Steady, Cook (1) (184390)
- 9.50am Kilroy (1) (3536464)
- 10.30am Who'll Do the Pudding? (60193)
- 11.00am News (1) Regional News and weather (7774342)
- 11.05am Due South (1) (1) (5059434)
- 11.50am Good Neighbours (2864025)
- 12.00am News (1) and weather (8325735)
- 12.05pm Wipeout (1) (1) (6002483)
- 12.35pm Neighbours (1) (8687342)
- 1.00am News (1) and weather (11890)
- 1.30am Regional News (1) (24262613)
- 1.40pm Perry Mason: The Case of the Glass Coffin An old magician friend becomes the prime suspect in the murder of his assistant (3457551)
- 3.10pm Quinley The corner suspects a high-school gymnastics coach is guilty of foul play when one of his protégées dies in suspicious circumstances (9239484)
- 4.00pm Popeye (7703008) 4.10pm Rugrats (4112183) 4.30pm Round the Twist (8807532) 5.00pm Newswatch (1) (1870700)
- 5.10pm Byker Grove (1) (1) (4486513)
- 5.35pm Neighbours (1) (1) (78629)
- 6.00am News (1) and weather (687)
- 6.30am Regional News (1) (819)
- 7.00am Summer Holiday The tropical island of Mauritius; a sea-front villa in Crete; on safari in Kenya and Ocala Forest, Britain's newest holiday village in the Lake District (1) (2964)
- 7.30am EastEnders (1) (803)
- 8.00am Wildlife on One: Otters — the Truth David Attenborough narrates a bleak study exploring the truth about one of Britain's rarest mammals (1) (4532)
- 8.30am Keeping Up Appearances Social climbing comedy, starring Patricia Routledge (1) (1) (3687)
- 9.00am News (1) and weather (2919)
- 9.30am The Broker's Men: Siege Jimmy struggles to avert a major catastrophe when Dominic is kidnapped at gunpoint. Last in the drama series, with Kevin Whately (1) (888119) WALES: 9.30am Referendum '97 (926822) 10.15-11.05am The Broker's Men (930657)
- 10.20am The X Files Scully investigates the murders of a string of doctors working at abortion clinics. Mulder's long-lost sister reappears claiming she's been sent to round up a gang of renegade aliens (1/2) (1) (390975)
- 11.05pm You Decide Should the Prince of Wales marry Camilla Parker Bowles and still be King? (837919)
- 11.55pm The Serpent and the Rainbow (1987) with Bill Pullman, Cathy Tyson and Michael Gough. Atmospheric thriller about a Harvard anthropologist's visit to Haiti in search of the toxic drug used by voodoo priests to create zombies. Directed by Wes Craven (1) (940458)
- 12.00am WALES: 1.15-1.25pm The Last of the Mohicans (1992) 1.30-1.45pm The X-Files The Serpent and the Rainbow (339656) 2.15-2.30pm News (348584)
- 1.30am Weather (2178217)

**VideoPlus+ and the Video PlusCode**  
The numbers next to each TV programme listing are Video PlusCode numbers, which allow you to programme your video recorder instantly with a VideoPlus+ handset. Tap in the Video PlusCode for the programme you wish to record. VideoPlus+ is a trademark of Gemstar Development Ltd.

For more comprehensive listings of satellite and cable channels, see the Directory, published on Saturday.

## SKY 1

- 6.00am Morning Glory (851181) 6.00pm Regis and Kaithe Lee (83716) 10.00am Another World (78964) 11.00pm The 400 Blows (1959) 12.00am Comedy Hour (4588)
- 1.00pm Grand Prix (2176) 2.00pm Sally Jessy Raphael (8716) 3.00pm Jerry Jones (4726)
- 4.00pm Oprah Winfrey (9307) 5.00pm Real TV (8629) 6.00pm Manned — with Chrissie (8236)
- 7.00pm The Simpsons (8585) 7.30pm Mr. Bean (1150) 8.00pm Speed (8716) 8.30pm Real TV (8629)
- 9.00pm Dreamland (8603) 10.00pm The Practice (8696) 11.00pm Star Trek: The Next Generation (7613) 12.00pm Live Show with David Letterman (5149) 1.00am HR Mr. Long Play (863326)

## SKY 2

- 7.00pm Superboy (864713) 7.30pm Superboy (864713) 8.00pm Renegade (935819) 8.30pm Police Report (86143)
- 9.00pm The New Untouchables (863919) 11.00pm In the Heat of the Night (863919)
- 12.00pm HI-Met (869158)

## SKY NEWS

Worldwide news coverage, with bulletin on the hour. 24 hours a day, seven days a week.

## SKY MOVIES

6.00am An American Christmas Carol (1979) (2913019) 7.00pm Time (1983) (29231) 8.45pm Stanley & Iris (1983) (29174) 11.45pm Iron Will (1989) (51460)

## THE MOVIE CHANNEL

6.00am Slender Man (1984) (29594) 6.00pm The Perfect Storm (1991) (40338)

## BBC2

- 6.00am Open University: Peter Bruegel and Popular Culture (7837484) 6.25pm Writing and Publishing (7743071) 6.50pm The Last of the Mohicans (1992)
- 7.15pm See Hear Breakfast News (1) and singing (679280)
- 7.30pm Teletubbies (1) (7828939) 7.55pm Bump (728919) 8.00pm Noddy (1) (8780241) 8.10pm Raccoons (1) (8855735) 8.35pm Get Your Own Back (1) (1) (3253959) 9.05pm Spidey (1) (1870131) 9.30pm Glad Ragge (1) (14223)
- 10.00pm The Moomins (1) (4417993) 10.25pm Caddis (1) (7557025) 10.40pm Spider (1) (311585) 10.45pm Teletubbies (1) (3536464)
- 11.15pm The Raccoons (1) (8780241) 11.40pm Moon Over Miami (1) (1) (9082358) 12.30pm Working Lunch (86829)
- 1.00am A to Z of Food (25964483) 1.10pm Beechgrove Garden — the First Season (7770332) 1.40pm Blockbusters (5944176) 2.05pm The Natural World (5574071) 3.00pm News (1) (1887174) 3.05pm Westminster, with Nick Ross (1) (8742939) 3.55pm News (1) (2225464)
- 4.00pm The Hunters (1968) Action adventure with Robert Mitchum and Robert Wagner. Directed by Dick Powell (9740745)
- 5.45pm One Lump or Two (1) (222485) 6.00pm The Fresh Prince of Bel-Air (1) (780005) 6.25pm Breakfast News (1) (355209)

## U2 raise money for Tibet (7.10pm)

7.10pm The O Zone Behind the scenes at a benefit concert in New York featuring U2, Blur and Oasis (186938)

## 7.30pm

Home Ground: A Slim Chance A 21-year-old woman tries to lose weight. Doctor Nick Finer points out the dangers of obesity (1) (445)

## 8.00pm

Call My Bluff (1) (1) (214) WALES: Barbecue Bible 8.30pm Homeland at the Royal Welsh Show

## 8.30pm

Ainsley's Barbecue Bible (3/5) from South Africa's Cape Province where Ainsley cooks butternut squash; butter-fried leg of lamb and parma ham bruschetta (1) (1208)

## 8.00pm

Reunited (1989) Emotional drama with Mark Thorne, Peter Strauss and Courtney Chase A grieving mother, whose dead son's spirit returns to comfort her, is further traumatised when the apparition begins to fade. Directed by Lee Grant (1) (4990)

## 10.28pm

Talking Tube (824087)

## 10.30pm

Newsnight (782939) 11.15pm Scene (45716) 11.45pm Parity Backpack (448377) 11.55pm Weather (926248) 12.00am Midnight (93675)

## 12.30am

Learning Zone: Deadly Quasars (80046) 1.00pm Finding a Balance (86410) 1.30pm Energy Through the Window (88859) 2.00pm Fun with Kids Collections 2 (83743) 4.00pm Teaching and Learning with (1) (32526) 4.30pm Film Education (54675) 5.00pm Inside Europe (30507) 5.30pm Film Education (93034)

## EUROSPORT

7.30am Athletics (87000) 8.00pm Tour de France (77000) 11.00pm Speedway (95800) 12.00am Football (87000) 1.00pm Tour de France (77000) 2.00pm Live Tour de France (21754) 4.00pm Tennis (1025) 5.30pm Rally (1174) 6.00pm Tour de France (77000) 7.00pm Tour de France (77000) 8.00pm Tour de France (77000) 9.00pm Tour de France (77000) 10.00pm Tour de France (77000) 11.00pm Tour de France (77000) 12.00pm Tour de France (77000)

## UK GOLD

7.00am Animal Magic (861069) 7.30pm Neighbours (872007) 8.00pm The Bill (400270) 8.30pm Shirley (864813) 9.00pm Teletubbies (1) (3536464) 9.30pm Teletubbies (1) (3536464) 10.00pm Teletubbies (1) (3536464) 10.30pm Teletubbies (1) (3536464) 11.00pm Teletubbies (1) (3536464) 11.30pm Teletubbies (1) (3536464) 12.00pm Teletubbies (1) (3536464)

## SKY SPORTS 1

7.00am Sports Centre (872025) 7.15pm Get Fit for Football (869454) 7.30pm High 5 (81714) 8.00pm Grand Prix Selling (46214) 8.30pm Racing News (78730) 9.00pm Sports Centre (869454) 9.15pm Get Fit for Football (124657) 9.30pm Aerobics On Style (86071) 10.00pm Rugby League London v Canberra (86738) 10.30pm Aerobics On Style (86071) 11.00pm Sports Centre (869454) 11.15pm Wild Sports (869454) 11.30pm Wild Sports (869454) 11.45pm Wild Sports (869454) 12.00pm Wild Sports (869454) 12.15pm Wild Sports (869454) 12.30pm Wild Sports (869454)

## TNT

8.00pm On the Town (1948) (8773990) 11.00pm Adam's Rib (1949) (714073) 12.00am Mr. Shafting (1944) (4481210) 3.00pm-5.00pm On the Town (1948) (8773990)

## SKY SPORTS 2

7.00am Sports Centre (872025) 7.15pm Get Fit for Football (869454) 7.30pm High 5 (81714) 8.00pm Grand Prix Selling (46214) 8.30pm Racing News (78730) 9.00pm Sports Centre (869454) 9.15pm Get Fit for Football (124657) 9.30pm Aerobics On Style (86071) 10.00pm Rugby League London v Canberra (86738) 10.30pm Aerobics On Style (86071) 11.00pm Sports Centre (869454) 11.15pm Wild Sports (869454) 11.30pm Wild Sports (869454) 11.45pm Wild Sports (869454) 12.00pm Wild Sports (869454) 12.15pm Wild Sports (869454) 12.30pm Wild Sports (869454)

## GRANADA PLUS

8.00am The Box (102107) 7.00pm Connection (1) (342141) 7.30pm Football (77000) 8.00pm Football (77000) 8.30pm Football (77000) 9.00pm Football (77000) 9.30pm Football (77000) 10.00pm Football (77000) 10.30pm Football (77000) 11.00pm Football (77000) 11.30pm Football (77000) 12.00pm Football (77000)

## FOX KIDS NETWORK

6.00am Dinky & His Friends (872621) 6.30am

## BBC2

- 6.00am GMTV (877416)
- 9.25pm Win, Lose or Draw (1) (1) (878735)
- 9.55pm Judge Judy (1) (4381464)
- 10.20pm News (1) (8176261) 10.25pm Regional News (1) (8175532)
- 10.30pm Our Sons (1991) with Julie Andrews, Ann-Margret and Hugh Grant. Contemporary drama about two women coming to terms with their lesbian sexuality. Directed by John Erman (9479584)
- 12.20pm Regional News (1) (8321915)
- 12.30pm News (1) and weather (8786667)
- 12.54pm HTV CrimeWatchers (8756428) 12.55pm Shortland Street (878131) 1.30pm Home and Away (1) (7794358) 1.50pm Earl's Lifestyle (1) (5935800) 2.20pm Contract for Murder (1) (1) (5651174)
- 3.20pm News (1) (8894464)
- 3.25pm Regional News (1) (1885716)
- 3.30pm The Riddlers (1) (4100209) 3.40pm Ozzie the Owl (1) (1484532) 3.50pm Zed the Dog (1) (1480715) 4.00pm Scooby Doo (1) (7798174) 4.10pm (7794358) (1) 4.20pm Captain Star (1) 4.45pm The Scoop (872594)
- 5.10pm Highway to Heaven (2/2) (1504667)
- 5.40pm News (1) and weather (842735)
- 6.00pm Home and Away (1) (7786532)
- 6.25pm HTV Weather (869513)
- 6.30pm The West Tonight (1) (777)
- 7.00pm Emmerdale Kim finds Steve in the arms of another (1) (3280)
- 7.30pm Take 3 Last in the series of current affairs report on issues affecting the region (241)
- 8.00pm The Bill Loxton and McCann confiscate a firearms fanatic's gun — and unwittingly do him what turns out to be the favour of a lifetime (1) (8700)
- 8.30pm The Paranormal World of Paul McKenna The hypnotist investigates how somebody can walk along a path of broken glass and not get hurt (1) (8735)

## As HTV West except:

10.30pm Film: Kaleidoscope (9479584)

5.10pm-5.40pm Home and Away (1504667)

6.00pm Meridian Tonight (735)

6.30pm-7.00pm Summer Festivals (777)

7.30pm-8.00pm Four Returns to India (241)

11.00pm Prisoner: Cell Block H (713900)

5.00pm Freescreen (27033)

## ANGLIA

As HTV West except:

10.30pm Film: Kaleidoscope (1900) starring Jaclyn Smith (9479584)

12.55pm-1.25pm A Country Practice (8781358)

5.10pm-5.40pm Shortland Street (1504667)

6.23pm Anglia Weather (50342)

6.25pm-7.00pm Anglia News (816716)

7.30pm-8.00pm Heirloom (241)

11.50pm Charlie Grace (713900)

## SAC

Starts 6.00am Sesame Street (13445) 7.00pm

The Big Breakfast (38613) 9.00pm Saved by the Bell: The New Class (7215716) 9.35pm The Secret World of Alex Mack (2353377) 10.05pm Hangin' with Mr. Cooper (1) (1) (6017777) 10.35pm The Crystal Maze (7000358) 11.35pm The Big Breakfast (7023071) 12.00pm House to House (77483) 12.30pm Ricki Lake (85975) 1.00pm Star Trek: Voyager (8641) 1.30pm Newswatch (303261) 1.55pm Pinqu (8645358) 2.00pm The Proud Rebel (8570454) 3.30pm Here's One I Made Earlier (193) 4.00pm Bewitched (700) 4.10pm The Pariah (984) 5.00pm Pump (100759) 5.15pm Pw! a Panda (19555) 5.30pm Countdown (644) 6.00pm Newswatch (303261) 6.05pm Heno (704938) 6.35pm Jack yn y Bocs (78903) 7.00pm Pw! a Panda (19555) 7.25pm Och Draw (360445) 8.00pm Y Sioe Fawr (4342) 8.30pm Newswatch (8377) 9.00pm Ruse (2071) 10.00pm Brookside (348822) 10.35pm Frasier (955483) 11.05pm Tour de France (708813) 11.35pm NYPD: Blue (36657) 12.30pm Northern Exposure (48746)

## THE DISNEY CHANNEL

6.00pm Dumbo a Circus (86944) 6.30pm

Faerie Tale Theatre (13003) 7.30pm Little Mermaid (8619174) 10.00pm Spidey (864813)

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# RACING 43

Dettori confirmed as Singspiel's partner in King George

# SPORT

TUESDAY JULY 22 1997

# TENNIS 46

Country's finest join county party at Eastbourne



## Newcastle move for Ostenstad

# Ferdinand gets cold shoulder from Dalglish

By DAVID MADDOCK

NEVER is the plot thicker than in a football transfer. Les Ferdinand, it seems, is about to leave Newcastle United, but not, as was first thought, at his behest. Over the weekend, the consensus was that the England forward wanted to sever his links with St James' Park, but that the club was opposed to the idea.

The events of yesterday, however, have turned that theory on its head. Ferdinand spoke passionately of his desire to continue in the North East, but Kenny Dalglish, the Newcastle manager, signalled his willingness to mark the way to the exit by attempting to sign a replacement.

David Jones, the Southampton manager, confirmed that his club had received an offer of £4 million from Dalglish for Egil Ostenstad, the Norway centre forward. Ostenstad, 25, cost Southampton £900,000 only a year ago, but apparently it was an offer the South Coast club could afford to turn down.

"We don't need to sell players," Jones said. "My understanding of the situation is that in talks with the [Southampton] chairman, Rupert Lowe, Newcastle offered £4 million, but these days for a striker of his quality, you would expect to pay between £7 million to £10 million and there is no way we will let him go for less than the ideal fee."

Clearly, Dalglish is wising to sell Ferdinand, 30, given his pursuit of Ostenstad, and there is no shortage of suitors. Tottenham Hotspur, the player's preferred destination, have bid £5 million, a figure close to that offered by Sheffield Wednesday, but Everton at Goodison Park indicated yesterday that they will stretch to the £6 million asking price, such is the desperate nature of their search for a forward.

If Ferdinand is keen to move, it was not instantly apparent yesterday. He denied reports attributed to him at the weekend suggesting he wanted to leave and instead offered a contented picture of life at Newcastle.

"Everything has been blown out of proportion, but I would love to stay here," he said. "Don't forget Alan Shearer and myself formed the most successful partnership in the Premiership last season, so why would I want to walk away from that?"

Ferdinand even suggested that there was no significance in the fact that he threw his shirt to supporters after a pre-season match at the weekend, but the feeling remains that the forward will be on the move, especially given an apparent frostiness between him and Dalglish.

It could happen swiftly. Dalglish will return to Southampton with an improved offer of £5 million for Ostenstad and Tottenham are likely to be successful at the same price, even though their bid has been topped, if only because if Ferdinand must move, then he will insist on the destination being London.

That will leave Everton still searching for a forward, but

the salvation could yet be a player they have already rejected. Fabrizio Ravanelli will return to Middlesbrough for training today, after a two-week hiatus when he refused to report to the club, and that could inspire renewed activity on Everton's part.

The Merseyside club could not agree terms with the Italy forward, but Bryan Robson, the Middlesbrough manager, suggested that that may be a temporary state of affairs. "If Ravanelli does not go to Everton and no one else comes in with the money, then he will stay here," he said. "The Everton deal could still happen, but if not then I need to find his feelings about this club because I'm not prepared to accept anything but a positive attitude from all my players this season."

Everton suffered further disappointment in the transfer market yesterday when they were beaten to the signature of Ciriacu Stora, the Switzerland captain, by his former club, Kaiserslautern. Stora, 27, a midfielder, joined the German club from Internazionale for a fee of £10.5 million (about £2.2 million) on a four-year contract.

David Hopkin, the Crystal Palace midfielder, will complete a £3 million transfer to Leeds United today. Palace, for their part, will hope to complete the signing of Attilio Lombardo, 31, from Juventus. The Italy winger was expected in London yesterday, but his arrival was delayed and he will enter talks when he arrives this morning.

Mike Newell has signed a two-year contract with Aberdeen after agreeing a move from Birmingham City and Southampton will pay £2 million to bring Paul Jones, a goalkeeper, and Lee Todd, a defender, to The Dell from Stockport County.

Lee Nogan, the Wales and Reading striker, has been bought by Grimsby Town as a replacement for Clive Mendonca. The fee is likely to be decided by a transfer tribunal.



Cork takes a well-earned drinks break during his innings of 55 for Derbyshire second XI against Yorkshire at Belper Meadows yesterday

# Buoyant Cork bobs back to surface

By RICHARD HOBSON

FOR a man who has reserved his greatest deeds for Test match grounds, Dominic Cork could hardly have chosen a humbler forum or setting to begin his return to the sport that he once threatened to dominate.

Perhaps 100 spectators were at Belper Meadows Cricket Club yesterday to see Derbyshire play Yorkshire in the Aon Risk Trophy, the limited-overs competition for second XIs. Few arrived expecting to see Cork, but by the end of the day, they could have been in no doubt about his enduring star quality.

There were no scorecards and no tannoy announcements. The opening batsman referred to as No 1 on the scoreboard might have been any youngster beginning to make his way in the game. Beneath the helmet, how-

ever, were clues of pedigree. Nimble running, at least until the run out of his partner, suggested an intimacy with the demands of one-day cricket. A forcing stroke off the back foot and a searing straight drive revealed impeccable timing. When he misread the spin of Michael Vaughan after scoring 55 in 101 minutes, he remained briefly in his studious forward defensive pose, as if astonished by his own fallibility.

Later, when Yorkshire replied, he effectively decided the match in his side's favour with a spell of five overs that brought four wickets for 16 runs.

Cork, 25, was playing a month after an operation on the groin injury that had troubled him since he pulled up against Kent in his only county championship game of the season in April. He has bowled in the nets and intends

to play as an all-rounder in the Axa Life League game against Glamorgan on Sunday. The NatWest Trophy quarter-final against Sussex two days later presents an opportunity to begin his quest to earn a place on the England tour of the West Indies next January. Injury has not kept him out

Warne held up ..... 44  
Line and Length ..... 44

of the infighting at Derbyshire. By implication, he was one of the senior players castigated by Dean Jones on the Australian's resignation as captain. If Kim Barnett wins his appeal against the £1,500 fine imposed by the club for airing his views on the controversy, Cork, too, may reveal his thoughts.

During his time away, he has pondered the mistakes

that might have brought a temporary halt to his England career even had he stayed fit. "It is not hard to look at the way my life has developed and realise there are things I should not have done. There has been a lot of pressure and stress around me, but I think I am through it," Cork said.

The breakdown of his marriage prompted him to pull out of the tour to Zimbabwe last winter. "With hindsight, maybe I should have taken the whole winter to sort things out," he said.

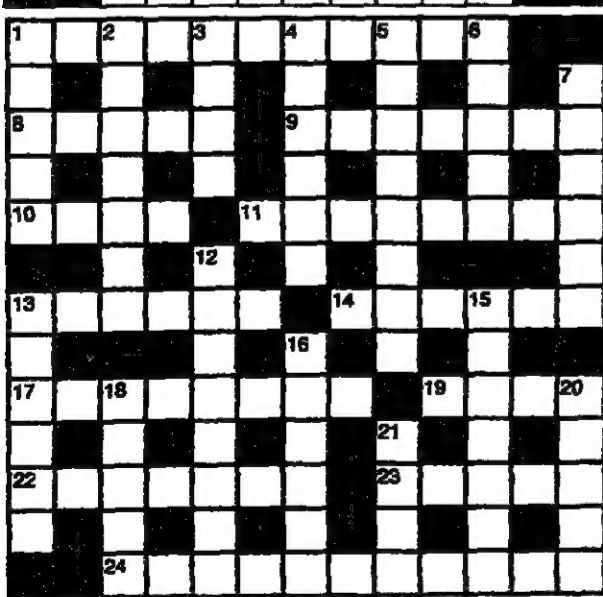
The tour to New Zealand that followed Zimbabwe was the nadir of his Test career, a humbling contrast to his first series against the West Indies, when he returned the best bowling figures by an England player on debut at Lord's and performed the hat-trick at Old Trafford. Yet by hitting the runs that clinched the series in Christchurch, he

showed that his star quality had not faded altogether.

"That moment is featured on a 'feel-good' videotape compiled by David Lloyd, the England coach, as a motivational tool. Cork said: "It is important to remember that although I have struggled lately, an awful lot in my career has gone better than anybody could have predicted, including myself."

He sent a fax to the England team after their success against Australia at Edgbaston. "I have grown up in cricket terms with a lot of those players," he said. "I still tingled inside when Nasser [Hussain] scored his double-century even though I was frustrated not to have been involved. I have stayed away from the Tests only because I do not want people to think I am hanging around. I would rather be back there fit and playing."

## TIMES TWO CROSSWORD



No 1152

- ACROSS  
1 (Body) taken apart (11)  
8 High-pitched alarm sound (5)  
9 Mogadishu its capital (7)  
10 Four legs were (Animal Farm) (4)  
11 Flute, above, etc (8)  
13 (Wood) jointed; wearing 4's hat (6)  
14 Tooth decay (6)  
17 One-sided; resistance fighter (6)  
19 Depressed; grassland (4)  
22 Dishvelled (7)  
23 Edible bulbous Russian dumpling (5)  
24 In madly happy way (11)
- DOWN  
1 Remove trousers (as joker) (5)  
2 Walk faster (4-3)  
3 Catch sight of (4)  
4 Diagonal-path piece (6)  
5 Curative (8)  
6 Indian city; sounds like cooked meat shop (5)  
7 Dr Who time-machine (6)  
12 Mild epilepsy (5-3)  
13 Clears away (spillage; last resistors) (4-2)  
15 Tusk piano keys (slang) (7)  
16 Lose momentum (6)  
18 On slope; smoothed (5)  
20 Fr. city; sailor's girl (5)  
21 Performance by one person (4)

SOLUTION TO NO 1151  
ACROSS: 1 Banns 4 Quarrel 10 Net 11 Stage left 12 Piper 18 Ass 20 Ada 21 Agreeable 22 Turkey 23 Doyen  
DOWN: 1 Bacon 2 Non-stop 3 Sponsored walk 4 Quasar 5 At the sharp end 6 Rifle 7 Lightly 12 Pageant 14 Playboy 15 Hooray 17 Amour 19 Skin

# Cotton prepares for pivotal new role

By MARK SOUSTER

FRAN COTTON confirmed yesterday that he will have a pivotal new role to play in the development of rugby union in England and he hopes — in Britain and Ireland into the next century. He envisages an overhaul of the structure of the game in England, but, of greater importance is, he believes, the need to develop a common playing strategy within the four home unions to counter the dominance of the southern hemisphere on the field and in the corridors of power.

Details and the terms of reference of his new, high-profile position as part of the Rugby Football Union's management board, on to which he was co-opted last Friday, will not be finalised until the

board meets on July 31, but Cotton intends to build on the success of the British Isles' tour to South Africa.

"There are so many things that need to be addressed, but the first priority is to make sure that the four home unions have got that common strategy. That is a huge statement. I know, a mission statement if you like, but we must make sure that European rugby is stronger than the southern hemisphere."

"Playing power leads to political power. The Southern Hemisphere has had the ascendancy in that sphere for too long and that is not a good thing that they have tended to lead us by the nose. They see rugby league as their threat and have moved to change the game to something that. Rugby league is not a threat to us, we have a

far better game, which we don't want to turn into some version of rugby league as we have seen with the Super 12, which is very worrying. We need at least an equal footing with the other countries to



Cotton: on mission

make sure the game is directed in the right way."

The revolution at Twickenham instigated by Cliff Brittle is expected to claim Tony Hall as its next victim after the resignation of Colin Hetheridge as chairman of finance. Hall, the acting chief executive, is on holiday in the United States, but his supporters concede his position is weak and believe that even if the inquiry by Judge Butler vindicates him — as they are confident it will — the pressure on him to resign will be irresistible.

Harlequins will demand a transfer fee in excess of £250,000 if Jason Leonard, the captain and England international, moves to Saracens. Leonard has been made an offer "he cannot refuse" and has asked to be released.

# Lighting-up time at Old Trafford

Barney Spender assesses Lancashire's experiment with day-night cricket

PETER HARTLEY, the Yorkshire seam bowler, has not had too many opportunities to make history during his 15-year career. True, he did take five wickets in nine balls against Derbyshire two years ago, but the chances are he may be best remembered for the delivery he bowled at 3.30pm yesterday at Old Trafford.

It may not have been one of his finest — a leg-tump half-volley that Lancashire's captain, Mike Watkinson, flicked for four — but that did not matter. Floodlit cricket and, perhaps more important, split-innings cricket in England was under way.

For those who spend the winters either travelling with the Barby Army or who have satellite sport on tap, the novelty value of night cricket may have waned — abroad,

everyone seems to play under lights now — but it is new for everybody else in England.

There have, of course, been previous attempts to stage floodlit matches in this country, but with the exception of Surrey's washed out Axa Life League match at the Oval last month, not on a county ground with proper lighting. Yesterday's was not a competition match per se, but with £10,000 prize-money at stake, there was at least an element of bite.

Many feel that one-day cricket with its coloured clothes, music and drifting barbecue smoke needs lights for it really to come alive. It may not please the purists, but

it is fun and, if the crowds who pitch up in Sydney, Durban and Delhi are anything to go by, it is profitable too. Yesterday's crowd, which started at around 3,000, certainly got into the spirit of the occasion. In between the bursts of rock 'n' roll that greeted the batsmen and saluted the boundaries, there were the traditional strains of "Lanky, Lanky, Lanky" from the Sunday regulars.

The split-innings is an exciting concept, which may well come into international cricket, because it limits the disadvantage of batting second, for each side has 25 overs both in normal light and under floodlights. Lancashire, who opted

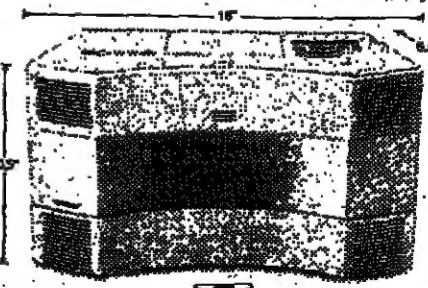
to bat first, turned around with the narrowest of advantages. Both sides had scored 122, but Yorkshire had lost three wickets to the home side's five.

One innovation that may not last is the sight of the public announcer bounding out to interview each batsman as he trudges back to the pavilion. Watkinson, not renowned for his soft edge, was pretty blunt when asked if he had swung across the line of a straight ball from Craig White. "So you're a coach as well are you?" the Lancashire skipper replied sternly to raucous applause from the crowd.

Until the dinner break, the cricket was played in glorious sunshine, but then the lights began to warm up, admission prices were slashed and the crowd settled back for the second half.

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